This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

NEDL TRANSFER
HN 1UVH X

Digitized by Google

KD 27460

Digitized by Google

CHAS. C. HUTCHINSON
Nautical Instruments
154 State St., BOSTON, MASS.

CHAS. C. HUTCHINSON

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

THE MEN ON DECK

Digitized by Google

BY THE SAME AUTHOR

UNDER SAIL

A narrative of the old square-rigger sailing ship days, detailing the story of a voyage around Cape Horn to Honolulu and back to New York in the American three skysail yarder A. J. Fuller in 1897—8.

IN PRESS

Digitized by Google

THE
MEN ON DECK

Master, Mates and Crew
Their Duties and Responsibilities

A MANUAL
for
The American Merchant Service

BY
FELIX RIESENBERG, C.E.
MASTER MARINER (SAIL AND STEAM)
Superintendent, New York State Nautical School,
Commanding Schoolship "Newport"
Author of "Under Sail"

NEW YORK
D. VAN NOSTRAND COMPANY
25 PARK PLACE
1918

Digitized by Google

KD 27460

HARVARD UNIVERSITY LIBRARY
467217

COPYRIGHT, 1918
BY
D. VAN NOSTRAND COMPANY

Digitized by Google

DEDICATED TO

Captain Reginald Fay

OF THE PORT OF NEW YORK

IN RECOGNITION OF

HIS UNTIRING EFFORTS

FOR

THE BETTERMENT

OF THE

AMERICAN MERCHANT MARINE

Digitized by Google

Digitized by Google

Preface

In the days of sail, the duties of masters, mates, and crews, were well defined. Sea practice, in the various rigs, had become standard with the authority of an ancient calling.

The art of sailing, and of rigging ships, was a precise matter. Gear remained standard for a century. The main to'bowline of a Black Ball Liner, tearing to windward in a North Atlantic hummer, was rove and led in much the same fashion as the main to'bowline of the ships of Nelson and Van Tromp. And the old time seamen, in their usage and habits, followed the regularity of the ships upon which they sailed.

The gradual transition from sail to steam carried with it, for a time, the old system of sailing ship routine. But to-day the sailing ship sailor is a thing of the past; the works of steam and steel are upon the waters—we are in the age of engines and the engineer. Great problems of mechanical propulsion, and of construction, are constantly presenting themselves, and the successors of the ancient mariner, the modern master, mates, and crew; the "deck department," if you will, of the present day steamer, find themselves afloat with different gear and under different conditions every time they change vessels.

No standard form of sea training has yet come to take the place of the old-time apprentice system of sail, and in addition to ships that are far from standard, we find that many ideas prevail as to the duties and organization of the seamanship branch of the modern steamer.

Able as they may be individually, officers of mixed training are constantly being thrown together in vessels of the merchant service, while in most cases crews are picked up haphazard from the beach. It is not to be wondered at that

Digitized by Google

many ideas prevail as to the proper way of doing things. Indeed, many otherwise intelligent officers often have a very hazy notion as to just what they are supposed to do, or to know.

Seamen are often confused, through lack of knowledge, as to what may be expected of them; one vessel is run one way, and another one may be quite different. In fact the lack of uniformity at sea breeds uncertainty and makes for disorder in situations where order and discipline are essential.

Among many junior officers in the merchant service a notion prevails that their main object in life is to get along with as little effort as possible while awaiting early promotion and increased pay—they look forward hopefully to that glad day when they will wear the Master's stripes, with all day ashore, while in port, and all night in, while at sea—this book will not be agreeable reading for them.

In the following pages an attempt is made to point out the things the various members of the deck department of an ocean steam vessel may reasonably be expected to know, and the things that they may be required to do. The book does not pretend to tell HOW, but the object is to show WHAT a modern American Seaman ought to know, and to do, and to lay before him the laws by which his calling is regulated.

It is also hoped that the book will help to inform owners and shore managers of the kind and quality of service that they should expect from sea officers and men. It is hoped that it will also aid in creating a greater respect for the quality of the men who go down to the sea in steamers; sail has gone, but a mighty wake of heavy gear and great responsibility has come along to take its place.

Great Lakes officers and seamen, who are being called to salt water during the winter season, as a matter of war emergency, will, it is hoped, find the following pages of use in their new situations.

In conclusion it may be well to remind the hard-working

Digitized by Google

merchantman that while many things are expected of him fortunately he is not required to do them all at once, nor do the United States Local Inspectors examine him upon all of the things mentioned in the pages of this little book.

The American who goes to sea to-day will not content himself with minimum requirements. He means to be more than a ten-per cent seaman. War emergencies have sent many men out on blue water who formerly would never have reached the deck or bridge. They know their limitations—all we can do is to point out the way.

The Author will welcome suggestions and criticisms from officers and men of the Merchant Marine who happen to read the pages of this book. Standard practice at sea is desirable, and such practice can best be achieved by some common ground upon which all minds may meet and reasonably agree.

Letters addressed in care of my publishers, D. Van Nostrand Company, 25 Park Place, New York, will be forwarded to me and be appreciated.

F. R.

SCHOOLSHIP NEWPORT,
May 1, 1918.

Digitized by Google

Digitized by Google

Table of Contents

CHAPTER		PAGE
I.	The Master	1
II.	Laws affecting the Duties of the Master	9
III.	Entry and Clearance	18
IV.	Entry of Merchandise	27
V.	Liability of Owners, Masters, and Shippers	53
VI.	Miscellaneous Laws	59
VII.	The Chief Mate	72
VIII.	The Chief Mate (*Continued*)	92
IX.	Rules of the U. S. Supervising Inspectors Relating to Lifesaving	103
X.	Passenger Act of 1882	116
XI.	The Second Mate	128
XII.	The Third Mate	131
XIII.	The Junior Officers	133
XIV.	Cadets	145
XV.	Laws Defining Officers of the Merchant Marine	146
XVI.	Examinations for Licenses; Master and Mates	153
XVII.	The Watch Officer	167
XVIII.	The Rules of the Road—International —Inland	184–5
XIX.	The Limits of U. S. Inland Waters	222
XX.	The Quartermasters	229

Digitized by Google

CHAPTER PAGE

XXI. The Carpenter..... 231
XXII. The Boatswain..... 234
XXIII. Able Seamen..... 236
XXIV. U. S. Navigation Laws Relating to Merchant Seamen..... 241
XXV. Discipline at Sea..... 286
Appendix A. Customs Districts, Ports and Sub-Ports of the United States..... 305
Appendix B. The Sea Library..... 319

Digitized by Google

THE MEN ON DECK

CHAPTER I

THE MASTER

The Master Mariner who has the vessel in charge is called the CAPTAIN, or the MASTER, the latter being his official title. It is correct, however, to address the master of a vessel as CAPTAIN, a courtesy to which the Master Mariner is fully entitled through ancient sea usage.

Among seagoing people, the Master Mariner who is in charge of a vessel is in complete charge at all times; divided authority in this matter is intolerable to the minds of men accustomed to the sea.

The Master is responsible as follows:—

For the safe handling of his vessel in and out of port.

For the safe and expeditious navigation of his vessel from port to port.

For the good management, and order, of the various departments that constitute the internal economy of his vessel—deck—engine—steward's—etc.

He is responsible for the safety of the lives of passengers and crew.

He is responsible for the safe stowage, carriage, and unlading of the cargo.

Digitized by Google

The vessel is his direct responsibility. If the Pilot is in charge, this does not relieve the Master of his full responsibility.

The Master is responsible to the owners.

He is also responsible to the insurance underwriters.

He is also responsible to the Government of the United States, under which he receives his license as a Master Mariner.

The Master Mariner who is well qualified to bear the great responsibilities of his station; to have the keeping of many lives in his charge; to be the sole judge of what is right and proper in times of emergency; such a man is not made in a year, nor is he the product of any short-cut system of training. His sea lore must be learned at sea. His duty to ship and cargo must be truly come by through close and thorough contact with the great vessels he is called upon to command.

The Master Mariner must be a student of the laws governing his business upon the sea, and of the laws defining his duties and responsibilities to ship, passengers, crew, and cargo.

Briefly, he is charged with the following specific duties and responsibilities:

1. **The safe navigation of his vessel.**

2. **The general management and care of his vessel.**

3. **The proper coaling—provisioning—supplying of water—etc.**

4. **That she be fully found—anchors—cables—warps—hawsers—boats—rafts—life-saving equipment—fire-fighting equipment, as required by law—compasses—chronometers—charts—sailing directions—sextants—and stores of all kinds needed to safely navigate her.**

5. **The proper signing of the ship's articles.**

6. **The keeping of the Official Log.**

Digitized by Google

7. The carrying of a properly equipped medicine chest.

8. The carrying of a required slop chest, and compliance with the laws regulating the sale of slops.

9. He is liable for the wrong delivery of specie and cargo, or for loss or damage to the same due to carelessness or mismanagement on the part of the crew.

10. He is responsible for any neglect through which the validity of the insurance to ship or cargo is called into question.

11. He must enforce the rule that the vessel is never to be left without an officer in charge, either at sea or in harbor, day or night.

12. He shall see that a licensed engineer officer is on duty when steam is up on a boiler.

13. When maneuvering—in and out of port—or at sea, he should see that the most qualified engineer officers on board are in charge of the working of the engines.

14. He must see that no waste or extravagance is praticed with the ship's stores and provisions.

15. He must see that the lawful scale of provisions is issued to the crew.

16. He must see that no prohibited cargo or stores come aboard, and that his hatches are battened down before going to sea. He is responsible for the correct lading of the vessel.

17. He must enter and clear his vessel at the custom house. He must see that the proper papers are produced. Ship's register (with his name entered as master). Manifest; Bills of Health; Passenger and stores list; and any other papers that may be required.

18. He must be familiar with the laws, rules, and regulations, in force in the various countries and at the various ports he visits.

19. He should find out where to obtain the services of the local medical authorities, and the police authorities, when in a strange port.

Digitized by Google

20. He should study the charter under which he is operating —if under charter. Is it a " time charter " or a " trip charter"? He will be largely responsible for the carrying out of his owner's part of the contract. If abroad he may sign the charter party, as agent of the owner.

21. He is the accredited representative of the owner. He has the authority to act contrary to the wishes of the ship's agents, when he is satisfied that such action is to the best interests of his owners; he must be prepared to bear full responsibility for his actions.

22. He is responsible to his owners for the safety of his vessel, whether he is on board or not.

23. He cannot delegate his authority, or name his successor to command, without the consent of his owners—unless physically unfit for duty, and then he has the authority to retain command and delegate such duties as he may be unable to perform himself.

24. He is always in command of and responsible for the safety of the vessel, whether he is using the services of a pilot, or otherwise, and his station, while in pilot waters under way, is on the bridge.

25. He has the authority to take the vessel from the pilot's control at any time, when in his opinion her safety demands such action. The use of the pilot indicates that the most careful measures are being taken to prevent accident, and for the protection of the insurance underwriters. Under such conditions, the taking over of the vessel from the pilot is weighted with the fullest responsibility.

26. He is responsbile for the correct keeping of the wage account of the crew.

27. He is responsible for the safe carriage of mail entrusted to the vessel.

28. He is responsible for the acceptance on board of anyone except his crew, or regularly accredited passengers. He is accountable to the port authorities of the first port visited, for the presence of the same.

Digitized by Google

29. He must see that the legal requirements safeguarding the carriage of live stock are complied with.

30. He shall handle his vessel in conformity with the International Rules of the Road at Sea, or the Inland Rules, depending upon the waters in which he is navigating; he must know if he is on the high seas, or within the limits defined as inland waters.

31. He is the responsible navigator of his vessel, and cannot delegate this responsibility.

32. He must see that the officers and men respect the laws and regulations of the ports visited, that no contraband or dutiable articles are brought on board in violation of the same.

33. He must take steps to prevent smuggling.

34. He must keep a record of all fines, punishments, and charges against members of the crew, and must not permit punishment to be inflicted that is contrary to law, and only such punishment as is sanctioned by his express order. In the Official Log, where these entries are to be made, he must specify the nature and extent of the punishment.

35. In the Official Log Book he must enter the following:

First. Every legal conviction of any member of his crew, and the punishment inflicted.

Second. Every offense committed by any member of his crew for which it is intended to prosecute or to enforce a forfeiture, together with such statement concerning the reading over such entry, and concerning the reply, if any, made to the charge, as is required by the provisions of section forty-five hundred and ninety-seven.

Third. Every offense for which punishment is inflicted on board, and the punishment inflicted.

Fourth. A statement of the conduct, character, and qualifications of each of his crew; or a statement that he declines to give an opinion of such particulars.

Fifth. Every case of illness or injury happening to any member of the crew, with the nature thereof, and the medical treatment.

Sixth. Every case of death happening on board, with the cause thereof.

Digitized by Google

Seventh. Every birth happening on board, with the sex of the infant, and the names of the parents.

Eighth. Every marriage taking place on board, with the names and ages of the parties.

Ninth. The name of every seamen or apprentice who ceases to be a member of the crew otherwise than by death, with the place, time, manner, and cause thereof.

Tenth. The wages due to any seaman or apprentice who dies during the voyage, and the gross amount of all deductions to be made therefrom.

Eleventh. The sale of the effects of any seaman or apprentice who dies during the voyage, including a statement of each article sold, and the sum received for it.

Twelfth. In every case of collision in which it is practicable so to do, the master shall, immediately after the occurrence, cause a statement thereof, and of the circumstances under which the same occurred, to be entered in the official log-book. Such entry shall be made in the manner prescribed in section forty-two hundred and ninety-one, and failure to make such entry shall subject the offender to the penalties prescribed by section forty-two hundred and ninety-two. (R. S., 4290; Feb. 14, 1900.)

Every entry hereby required to be made in the official log-book shall be signed by the master and by the mate, or some other one of the crew, and every entry in the official log-book shall be made as soon as possible after the occurrence to which it relates, and, if not made on the same day as the occurrence to which it relates, shall be made and dated so as to show the date of the occurrence, and of the entry respecting it; and in no case shall any entry therein, in respect of any occurrence happening previously to the arrival of the vessel at her final port, be made more than twenty-four hours after such arrival. (R. S., 4291.)

If in any case the official log-book is not kept in the manner hereby required, or if any entry hereby directed to be made in any such log-book is not made at the time and in the manner hereby directed, the master shall, for each such offense, be liable to a penalty of not more than twenty-five dollars; and every person who makes, or procures to be made, or assists in making, any entry in any official log-book in respect of any occurrence happening previously to the

Digitized by Google

arrival of the vessel at her final port of discharge, more than twenty-four hours after such arrival, shall, for each offense, be liable to a penalty of not more than one hundred and fifty dollars. (R. S., 4292.)

36. He must see that the ship's log-book is properly kept.

37. He must see that the property of deceased persons is disposed of according to law.

38. He must not depart from the safest and most usual course in making a passage between the designated ports of his voyage, unless under instruction from legal authorities, as in time of war.

40. He must not depart from port, unless authorized to do so by the proper port or other authorities.

41. He must see that all drills and inspections required by law are carried out and record of same made in the official log-book.

42. In case of collision he must stand by, and give the name and hailing port of his vessel, if required.

43. He must make the required reports to the U. S. Local Inspectors, concerning all matters laid down in their rules.

44. He must see that his officers stand proper watches and conform to all the requirements of the law.

45. He must see that the licenses of all licensed officers are exhibited as required by law.

46. He must see that the requirements of the vessel's Certificate of Inspection are rigidly adhered to—passengers—steam pressure—etc.

47. He should report promptly to his owners, and to the U. S. Local Inspectors, all details regarding accidents.

48. He must see that orderly conduct is maintained by his passengers as well as his crew—He must regularly inspect the quarters and accommodations assigned to them—must see to the ventilation—warmth—and cleanliness—of sleeping and dining rooms, and the cleanliness of kitchens, pantries, store rooms, bath rooms and lavatories.

Digitized by Google

49. He should be familiar with the regulations of the customs authorities of the ports to which he is trading. He should know the customs districts, ports and sub-ports of entry in the United States.

50. He should study the navigation laws of the United States.

51. Being MASTER, he should really be a Master Mariner in every sense of the word. He should know his ship, her cargo, whatever it may be, and he should never be satisfied until he is skilled in every branch of the art of navigation and seamanship.

52. He has the authority to suspend officers from duty, for cause, and in the case of mutinous conduct at sea, he is justified in putting in irons any member of his crew, or any officer, or passenger, when the safety and discipline of the vessel require such action.

53. At sea, or outside any legal jurisdiction, he is justified, as a matter of protecting the lives and property in his care, to take human life, when other measures are inadequate to this end.

54. He may be called upon to set a leg, or saw it off—to deliver a woman in childbirth—to perform the marriage ceremony—or to read the burial service at sea.

55. In the event of disaster; he must see to the safety of all hands, passengers and crew.

56. When his vessel founders, he must be the last man to leave the ship.

Digitized by Google

CHAPTER II

LAWS AFFECTING THE DUTIES OF THE MASTER

THE principal laws of the United States affecting the duties and responsibilities of the Master are appended. Much of the bulk of the law, having to do with the construction of vessels and their fitting, and regulating the methods of inspection and control are omitted, and only those parts are given that directly affect the Master himself.

Much of the law, to the mind of a sailor, could be boiled down and simplified—perhaps some day sailors will go to Congress and do this—in the mean time the best that can be done is to make an attempt to unscramble the hodge-podge of rules, regulations, specifications, penalties, and what not, that fill the bulky red volume issued by the Bureau of Navigation, Department of Commerce.

Master's oath of citizenship. Upon making application for registry of a vessel.

If the master of a vessel is within the district where a registry thereof is to be made, when application is made for registering the same, he shall himself, instead of the owner, or of the agent, or attorney, as hereinafter mentioned, make oath touching his being a citizen, and the means whereby or manner in which he is citizen; in which case, if the master shall knowingly swear to anything untrue, no forfeiture of the vessel, on account of such false oath, shall be incurred, but the master shall be liable to a penalty of one thousand dollars. (R. S., 4144.)

Change of master.

When the master or person having the charge or command of a registered vessel is changed, the owner, or one of the owners, or the

Digitized by Google

new master of such vessel, shall report such change to the collector of the district where the same has happened, or where the vessel shall first be after the same has happened, and shall produce to him the certificate of registry of such vessel, and shall make oath, showing that such new master is a citizen of the United States, and the manner in which or means whereby he is so a citizen. Thereupon the collector shall indorse upon the certificate of registry a memorandum of such change, specifying the name of such new master, and shall subscribe the memorandum with his name; and if other than the collector of the district by whom the certificate of registry was granted, shall transmit a copy of the memorandum to him, with notice of the particular vessel to which it relates; and the collector of the district, by whom the certificate shall have been granted, shall make a like memorandum of such change in his book of registers, and shall transmit a copy thereof to the Commissioner of Navigation. If the change is not reported, or if the oath is not taken, as above directed, the registry of such vessel shall be void, and the master or person having the charge or command of her shall be liable to a penalty of one hundred dollars. (R. S., 4171—July 5, 1884; sec. 2.)

Master must produce ship's register when entry is made.

The master or other person having the command or charge of any vessel, recorded in pursuance of this Title [R. S., 4131–4305], shall, on entry of such vessel, produce the certificate of such record to the collector of the district where she is so entered; and in default thereof the vessel shall not be entitled to the privileges of a recorded vessel. (R. S., 4184.)

Offenses against the registry law.

Every collector or officer who knowingly makes, or is concerned in making, any false register or record, or who knowingly grants or is concerned in granting, any false certificate of registry or record of or for any vessel, or any other false document whatever touching the same, contrary to the true intent and meaning of this Title [R. S., 4131–4305], or who designedly takes any other or greater fees than are by this Title allowed, or who receives any voluntary reward or gratuity for any of the services performed, pursuant thereto; and every surveyor or other person appointed to measure any vessel, who willfully delivers to any collector or naval officer a false description of such vessel, to be registered or recorded, shall be punishable by a

Digitized by Google

fine of one thousand dollars, and be rendered incapable of serving in any office of trust or profit under the United States. (R. S., 4187.)

If any person authorized and required by this Title [R. S., 4131–4305] to perform, as an officer, any act or thing, willfully neglects to do or perform the same, according to the true intent and meaning of this Title, he shall, if not subject to the penalty and disqualification prescribed in the preceding section, be punishable by a fine of five hundred dollars for the first offense, and by a like fine for the second offense, and shall thenceforth be rendered incapable of holding any office of trust or profit under the United States. (R. S., 4188.)

Whenever any certificate of registry, enrollment, or license, or other record or document granted in lieu thereof, to any vessel, is knowingly and fraudulently obtained or used for any vessel not entitled to the benefit thereof, such vessel, with her tackle, apparel, and furniture, shall be liable to forfeiture. (R. S., 4187.)

No sea-letter or other document certifying or proving any vessel to be the property of a citizen of the United States shall be issued, except to vessels duly registered, or enrolled and licensed as vessels of the United States, or to vessels which shall be wholly owned by citizens of the United States, and furnished with or entitled to sea-letters or other custom-house documents. (R. S., 4190.)

Every person who knowingly makes, utters, or publishes any false sea-letter, Mediterranean passport, or certificate of registry, or who knowingly avails himself of any such Mediterranean passport, sea-letter, or certificate of registry, shall be liable to a penalty of not more than five thousand dollars, and, if an officer of the United States, shall thenceforth be incapable of holding any office of trust or profit under the authority of the United States. (R. S., 4191.)

Provisions and water.

Should any master or owner of any merchant vessel of the United States neglect to provide a sufficient quantity of stores to last for a voyage of ordinary duration to the port of destination, and in consequence of such neglect the crew are compelled to accept a reduced scale, such master or owner shall be liable to a penalty as provided in section forty-five hundred and sixty-eight of the Revised Statutes. (R. S., 4564. Dec. 21, 1898; sec. 12.)

Digitized by Google

Any three or more of the crew of any merchant-vessel of the United States bound from a port in the United States to any foreign port, or being of the burden of seventy-five tons or upward, and bound from a port on the Atlantic to a port on the Pacific, or vice versa, may complain to any officer in command of any of the vessels of the United States Navy, or consular officer of the United States, or shipping-commissioner or chief officer of the customs, that the provisions or water for the use of the crew are, at any time, of bad quality, unfit for use, or deficient in quantity. Such officer shall thereupon examine the provisions or water, or cause them to be examined; and if, on examination, such provisions or water are found to be of bad quality and unfit for use, or to be deficient in quantity, the person making such examination shall certify the same in writing to the master of the ship. If such master does not thereupon provide other proper provisions or water, where the same can be had, in lieu of any so certified to be of a bad quality and unfit for use, or does not procure the requisite quantity of any so certified to be insufficent in quantity, or uses any provisions or water which have been so certified as aforesaid to be of bad quality and unfit for use, he shall, in every such case, be liable to a penalty of not more than one hundred dollars; and upon every such examination the officers making or directing the same shall enter a statement of the result of the examination in the log-book, and shall send a report thereof to the district judge for the judicial district embracing the port to which such vessel is bound; and such report shall be received in evidence in any legal proceedings. (R. S., 4565.)

If the officer to whom any such complaint in regard to the provisions or the water is made certifies in such statement that there was no reasonable ground for such complaint, each of the parties so complaining shall forfeit to the master or owner his share of the expense, if any, of the survey. [This section shall not apply to fishing or whaling vessels or yachts—Dec. 21, 1898, sec. 26.] (R. S., 4566. Dec. 21, 1898; sec. 13.)

If any seamen, while on board any vessel, shall state to the master that they desire to make complaint, in accordance with the two preceding sections, in regard to the provisions or the water, to a competent officer, against the master, the master shall, if the vessel is then at a place where there is any such officer, so soon as the service of the vessel will permit, and if the vessel is not then at

Digitized by Google

such a place, so soon after her first arrival at such place as the service of the vessel will permit, allow such seamen, or any of them, to go ashore, or shall send them ashore, in proper custody, so that they may be enabled to make such complaint; and shall, in default, be liable to a penalty of not more than one hundred dollars. (R. S., 4567.)

If, during a voyage, the allowance of any of the provisions which any seaman is entitled to under section forty-six hundred and twelve of the Revised Statutes is reduced except for any time during which such seamen willfully and without sufficient cause refuses or neglects to perform his duty, or is lawfully under confinement for misconduct either on board or on shore; or if it shall be shown that any of such provisions are, or have been during the voyage, bad in quality or unfit for use, the seaman shall receive, by way of compensation for such reduction or bad quality, according to the time of its continuance, the following sums, to be paid to him in addition to and to be recoverable as wages:

First. If his allowance is reduced by any quantity not exceeding one-third of the quantity specified by law, a sum not exceeding fifty cents a day.

Second. If his allowance is reduced by more than one-third of such quantity, a sum not exceeding one dollar a day.

Third. In respect to bad quality, a sum not exceeding one dollar a day.

But if it is shown to the satisfaction of the court before which the case is tried that any provisions, the allowance of which has been reduced, could not be procured or supplied in sufficient quantities, or were unavoidably injured or lost, or if by reason of its innate qualities any article becomes unfit for use and that proper and equivalent substitutes were supplied in lieu thereof, the court shall take such circumstances into consideration and shall modify or refuse compensation, as the justice of the case may require. [This section shall not apply to fishing or whaling vessels or yachts—Dec. 21, 1898, sec. 26.] (R. S., 4568. Dec. 21, 1898; sec. 14.)

Weights and measures.

Every master shall keep on board proper weights and measures for the purpose of determining the quantities of the several provisions and articles served out, and shall allow the same to be used at the

Digitized by Google

time of serving out such provisions and articles, in the presence of a witness, whenever any dispute arises about such quantities, and in default shall, for every offense, be liable to a penalty of not more than fifty dollars. (R. S., 4571.)

Medicines and anti-scorbutics.

Every vessel belonging to a citizen of the United States, bound from a port in the United States to any foreign port, or being of the burden of seventy-five tons or upward, and bound from a port on the Atlantic to a port on the Pacific, or vice versa, shall be provided with a chest of medicines; and every sailing-vessel bound on a voyage across the Atlantic or Pacific Ocean, or around Cape Horn, or the Cape of Good Hope, or engaged in the whale or other fisheries, or in sealing, shall also be provided with, and cause to be kept, a sufficient quantity of lime or lemon juice, and also sugar and vinegar or other anti-scorbutics, to be served out to every seaman as follows: The master of every such vessel shall serve the lime or lemon juice, and sugar and vinegar, to the crew, within ten days after salt provisions mainly have been served out to the crew, and so long afterward as such consumption of salt provisions continues; the lime or lemon juice and sugar daily at the rate of half an ounce each per day; and the vinegar weekly at the rate of half a pint per week for each member of the crew. (R. S., 4569.)

If, on any such vessel, such medicines, medical stores, lime or lemon juice, or other articles, sugar, and vinegar, as are required by the preceding section, are not provided and kept on board, as required, the master or owner shall be liable to a penalty of not more than five hundred dollars; and if the master of any such vessel neglects to serve out the lime or lemon juice, and sugar and vinegar in the case and manner directed, he shall for each such offense be liable to a penalty of not more than one hundred dollars; and if any master is convicted in either of the offenses mentioned in this section, and it appears that the offense is owing to the act or default of the owner, such master may recover the amount of such penalty, and the costs incurred by him, from the owner. (R. S., 4570.)

Slop chest.

Every such vessel [R. S., 4569] except vessels engaged in the whaling or fishing business shall also be provided with a slop-chest,

Digitized by Google

which shall contain a complement of clothing for the intended voyage for each seaman employed, including boots or shoes, hats, or caps, under clothing and outer clothing, oiled clothing, and everything necessary for the wear of a seaman; also a full supply of tobacco and blankets. Any of the contents of the slop-chest shall be sold, from time to tome, to any or every seaman applying therefor, for his own use, at a profit not exceeding ten per centum of the reasonable wholesale value of the same at the port at which the voyage commenced. And if any such vessel is not provided, before sailing, as herein required, the owner shall be liable to a penalty of not more than five hundred dollars. The provisions of this section shall not apply to vessels plying between the United States and the Dominion of Canada, Newfoundland, the Bermuda Islands, the Bahama Islands, the West Indies, Mexico and Central America. (June 26, 1884; sec. 11. June 19, 1886; sec. 13.)

Warmth and clothing.

Every vessel bound on any foreign voyage exceeding in length fourteen days shall also be provided with at least one suit of woolen clothing for each seaman, and every vessel in the foreign or domestic trade shall provide a safe and warm room for the use of seamen in cold weather. Failure to make such provision shall subject the owner or master to a penalty of not less than one hundred dollars. [This section shall not apply to fishing or whaling vessels or yachts—Dec. 21, 1898, sec. 26.] (R. S., 4572; Dec. 21, 1898; sec. 15.)

Log-book.

Every vessel making voyages from a port in the United States to any foreign port, or being of the burden of seventy-five tons, or upward, from a port on the Atlantic to a port on the Pacific, or vice versa, shall have an official log-book; and every master of such vessel shall make, or cause to be made therein, entries of the following matters, that is to say:

First. Every legal conviction of any member of his crew, and the punishment inflicted.

Second. Every offense committed by any member of his crew for which it is intended to prosecute, or to enforce a forfeiture, together with such statement concerning the reading over such entry, and concerning the reply, if any, made to the charge, as is required by the provisions of section forty-five hundred and ninety-seven.

Digitized by Google

Third. Every offense for which punishment is inflicted on board, and the punishment inflicted.

Fourth. A statement of the conduct, character, and qualifications of each of his crew; or a statement that he declines to give an opinion of such particulars.

Fifth. Every case of illness or injury happening to any member of the crew, with the nature thereof, and the medical treatment.

Sixth. Every case of death happening on board, with the cause thereof.

Seventh. Every birth happening on board, with the sex of the infant, and the names of the parents.

Eighth. Every marriage taking place on board, with the names and ages of the parties.

Ninth. The name of every seaman or apprentice who ceases to be a member of the crew otherwise than by death, with the place, time, manner, and cause thereof.

Tenth. The wages due to any seaman or apprentice who dies during the voyage, and the gross amount of all deductions to be made therefrom.

Eleventh. The sale of the effects of any seaman or apprentice who dies during the voyage, including a statement of each article sold, and the sum received for it.

Twelfth. In every case of collision in which it is practicable so to do, the master shall, immediately after the occurrence, cause a statement thereof, and of the circumstances under which the same occurred, to be entered in the official log-book. Such entry shall be made in the manner prescribed in section forty-two hundred and ninety-one, and failure to make such entry shall subject the offender to the penalties prescribed by section forty-two hundred and ninety-two. (R. S., 4290; Feb. 14, 1900.)

Every entry hereby required to be made in the official log-book shall be signed by the master and by the mate, or some other one of the crew, and every entry in the official log-book shall be made as soon as possible after the occurrence to which it relates, and, if not made on the same day as the occurrence to which it relates, shall be made and dated so as to show the date of the occurrence, and of the entry respecting it; and in no case shall any entry therein, in respect of any occurrence happening previously to the arrival of the vessel

Digitized by Google

at her final port, be made more than twenty-four hours after such arrival. (R. S., 4291.)

If in any case the official log-book is not kept in the manner hereby required, or if any entry hereby directed to be made in any such log-book is not made at the time and in the manner hereby directed, the master shall, for each such offense, be liable to a penalty of not more than twenty-five dollars; and every person who makes, or procures to be made, or assists in making, any entry in any official log-book in respect of any occurrence happening previously to the arrival of the vessel at her final port of discharge, more than twenty-four hours after such arrival, shall, for each offense, be liable to a penalty of not more than one hundred and fifty dollars. (R. S., 4292.)

Digitized by Google

CHAPTER III

ENTRY AND CLEARANCE

Clearance.

The master or person having the charge or command of any vessel bound to a foreign port, shall deliver to the collector of the district from which such vessel is about to depart, a manifest of all the cargo on board the same, and the value thereof, by him subscribed, and shall swear to the truth thereof; whereupon the collector shall grant a clearance for such vessel and her cargo, but without specifying the particulars thereof in the clearance, unless required by the master or other person having the charge or command of such vessel so to do. If any vessel bound to a foreign port departs on her voyage to such foreign port without delivering such manifest and obtaining a clearance, as hereby required, the master or other person having the charge or command of such vessel shall be liable to a penalty of five hundred dollars for every such offense. (R. S., 4197; Apr. 29, 1902.)

Master's oath.

The oath to be taken by the master or commander of the vessel shall be as follows:

District of

I, (insert the name), master or commander of the (insert the denomination and name of the vessel), bound from the port of (insert the name of the port or place sailing from) to (insert the name of the port or place bound to), do solemnly, sincerely, and truly swear (or affirm, as the case may be) that the manifest of the cargo on board the said (insert denomination and name of the vessel) now delivered by me to the collector of this district, and subscribed with my name contains, according to the best of my knowledge and belief, a full, just, and true account of all the goods, wares, and merchandise now actually laden on board the said vessel, and of the value thereof;

Digitized by Google

and if any other goods, wares, or merchandise shall be laden or put on board the said (insert denomination and name of vessel) previous to her sailing from this port, I will immediately report the same to the said collector. I do also swear (or affirm) that I verily believe the duties on all the foreign merchandise therein specified have been paid or secured, according to law, and that no part thereof is intended to be relanded within the United States, and that if by distress or other unavoidable accident it shall become necessary to reland the same, I will forthwith make a just and true report thereof to the collector of the customs of the district wherein such distress or accident may happen. So help me God. (R. S., 4198; Apr. 29, 1902.)

Form of outward manifest.

The form of the report and manifest to be delivered to the collector shall be as follows: (R. S., 4199; Apr. 29, 1902.)

Report and manifest of the cargo laden at the port of , on board the , master, bound for port .

Marks.	Numbers.	Packages or articles in bulk.	Contents or quantities.	Value at the port of exportation.

Before a clearance shall be granted for any vessel bound to a foreign port, the owners, shippers, or consignors of the cargo of such vessel shall deliver to the collector manifests of the cargo, or the parts thereof shipped by them respectively, and shall verify the same by oath. Such manifests shall specify the kinds and quantities of the articles shipped respectively, and the value of the total quantity of each kind of articles; and the oath to each manifest shall state that it contains a full, just, and true account of all articles laden on board of such vessel by the owners, shippers, or consignors respectively, and that the values of such articles are truly stated, according to their actual cost, or the values which they truly bear at the port and time of exportation. And before a clearance shall be granted for any such vessel, the master of that vessel, and the owners, ship-

Digitized by Google

pers, and consignors of the cargo, shall state, upon oath, to the collector, the foreign port or country in which such cargo is truly intended to be landed. The oaths shall be taken and subscribed in writing. (R. S., 4200; Apr. 29, 1902.)

Form of clearance.

The form of a clearance, to be granted to a ship or vessel on her departure to a foreign port or place, shall be as follows:

District of , ss,
Port of

These are to certify all whom it doth concern, that , master or commander of the , burden tons, or thereabouts, mounted with guns, navigated with men, built, and bound for , having on board , hath here entered and cleared his said vessel according to law. Given under our hands and seals, at the custom-house of , this day of , one thousand , and in the year of the Independence of the United States of America. (R. S., 4201; Apr. 29, 1902.)

State inspection laws.

The collectors and other officers of the customs shall pay due regard to the inspection laws of the States in which they may respectively act, in such manner that no vessel having on board goods liable to inspection shall be cleared until the master, or other proper person, shall have produced such certificate that all such goods have been duly inspected, as the laws of the respective States may require to be produced to collectors or other officers of the customs. (R. S., 4202; Apr. 29, 1902.)

Manifests in Alaskan and insular trades.

The provisions of sections four thousand one hundred and ninety-seven to four thousand two hundred, inclusive, of the Revised Statutes of the United States, requiring statements of quantity and value of goods carried by vessels clearing from the United States to foreign ports, shall be extended to and govern, under such regulations as the Secretary of Commerce shall prescribe, in the trade between the United States and Hawaii, Porto Rico, Alaska, the Philippine Islands, Guam, and its other noncontiguous territory, and shall also

Digitized by Google

govern in the trade conducted between said islands and territory, and in shipments from said islands or territory to other parts of the United States: *Provided*, That this law shall not apply in the Philippine Islands during such time as the collectors of customs of those islands are under the jurisdiction of the War Department. (Apr. 29, 1902; Feb. 14, 1903; secs. 7, 10.)

Bullion and coin.

All vessels belonging to citizens of the United States, and bound from any port in the United States to any other port therein, or to any foreign port, or from any foreign port to any port in the United States, shall, before clearance, receive on board all such bullion, coin, United States notes and bonds and other securities, as the Government of the United States or any department thereof, or any minister, consul, vice-consul, or commercial or other agent of the United States abroad, shall offer, and shall securely convey and promptly deliver the same to the proper authorities or consignees, on arriving at the port of destination; and shall receive for such service such reasonable compensation as may be allowed to other carriers in the ordinary transactions of business. (R. S., 4204.)

Fees.

Previous to a clearance being granted to any vessel, outward bound, the legal fees which shall have accrued on such vessel shall be paid at the offices where such fees are respectively payable; and receipts for the same shall be produced to the collector or other officer whose duty it may be to grant clearances, before a clearance is granted. (R. S., 4206; June 19, 1886.)

☞ Whenever any clearance is granted to any vessel of the United States, duly registered as such, and bound on any foreign voyage, the collector of the district shall annex thereto, in every case, a copy of the rates or tariffs of fees which diplomatic and consular officers are entitled, by the regulations prescribed by the President, to receive for their service. (R. S., 4207.)

Deposit of papers.

The register, or other document in lieu thereof, together with the clearance and other papers granted by the officers of the customs to a vessel at her departure from the port from whence she may have ar-

Digitized by Google

rived, Mediterranean passports excepted, shall previous to entry be produced to the collector with whom such entry is to be made, and shall remain in his office; and on the clearance of such vessel the register and other documents shall be returned to the master or owner of such vessel. (R. S., 2790.)

The register, or other document in lieu thereof, together with the clearance and other papers granted by the officers of the customs to any foreign vessel, at her departure from the port from which she may have arrived, shall, previous to entry in any port of the United States, be produced to the collector with whom such entry is to be made. It shall be the duty of the master, within forty-eight hours after such entry, to deposit the papers with the consul or vice-consul of the nation to which the vessel belongs, and to deliver to the collector the certificate of such consul or vice-consul that the papers have been so deposited. Every master who fails to comply with this regulation shall be punishable by a fine of not less than five hundred dollars, nor more than two thousand dollars. (R. S., 4209.)

It shall be the duty of all masters of vessels for whom any official services shall be performed by any consular officer, without the payment of a fee, to require a written statement of such services from such consular officer, and, after certifying as to whether such statement is correct, to furnish it to the collector of the district in which such vessels shall first arrive on their return to the United States; and if any such master of a vessel shall fail to furnish such statement, he shall be liable to a fine of not exceeding fifty dollars, unless such master shall state under oath that no such statement was furnished him by said consular officer. And it shall be the duty of every collector to forward to the Secretary of the Treasury all such statements as shall have been furnished to him, and also a statement of all certified invoices which shall have come to his office, giving the dates of the certificates, and the names of the persons for whom and of the consular officer by whom the same were certified. (R. S., 4213; June 26, 1884; sec. 13.)

War documents; passports; sea letters.

Every vessel of the United States, going to any foreign country, shall, before she departs from the United States, at the request of the master, be furnished by the collector for the district where such

Digitized by Google

vessel may be, with a passport, the form for which shall be prescribed by the Secretary of State. In order to be entitled to such passport, the master of every such vessel shall be bound, with sufficient sureties, to the Treasurer of the United States, in the penalty of two thousand dollars, conditioned that the passport shall not be applied to the use or protection of any other vessel than the one described in it; and that, in case of the loss or sale of any vessel having such passport, the same shall, within three months, be delivered up to the collector from whom it was received, if the loss or sale take place within the United States; or within six months, if the same shall happen at any place nearer than the Cape of Good Hope; and within eighteen months, if at a more distant place. (R. S., 4306.)

If any vessel of the United States shall depart therefrom, and shall be bound to any foreign country, other than to some port in America, without such passport, the master of such vessel shall be liable to a penalty of two hundred dollars for every such offense. (R. S., 4307.)

Every unregistered vessel owned by a citizen of the United States, and sailing with a sea-letter, going to any foreign country, shall, before she departs from the United States, at the request of the master, be furnished by the collector of the district where such vessel may be with a passport, for which the master shall be subject to the rules and conditions prescribed for vessels of the United States. (R. S., 4308.)

Every master of a vessel, belonging to citizens of the United States, who shall sail from any port of the United States, shall, on his arrival at a foreign port, deposit his register, sea-letter, and Mediterranean passport with the consul, vice-consul, commercial agent, or vice-commercial agent, if any there be at such port; and it shall be the duty of such consul, vice-consul, commercial agent, or vice-commercial agent, on such master or commander producing to him a clearance from the proper officer of the port where his vessel may be, to deliver to the master all of his papers, if such master or commander has complied with the provisions of law relating to the discharge of seamen in a foreign country, and to the payment of the fees of consular officers. (R. S., 4309.)

Every master of any such vessel who refuses or neglects to deposit the papers as required by the preceding section, shall be liable

Digitized by Google

to a penalty of five hundred dollars, to be recovered by such consul, vice consul, commercial agent, or vice-commercial agent, in his own name, for the benefit of the United States, in any court of competent jurisdiction. (R. S., 4310.)

Illegal boarding of vessel.

Every person who, not being in the United States service, and not being duly authorized by law for the purpose, goes on board any vessel about to arrive at the place of her destination, before her actual arrival, and before she has been completely moored, without permission of the master, shall, for every such offense, be punishable by a fine of not more than two hundred dollars, and by imprisonment for not more than six months; and the master of such vessel may take any such person so going on board into custody, and deliver him up forthwith to any constable or police officer, to be by him taken before any justice of the peace, to be dealt with according to the provisions of this Title (R. S., 4501–4613). (R. S., 4606.)

The Secretary of Commerce is hereby authorized and directed to prescribe from time to time and enforce regulations governing the boarding of vessels arriving at the seaports of the United States, before such vessels have been properly inspected and placed in security, and for that purpose to employ any of the officers of that [or Treasury] Department. (Mar. 31, 1900; Feb. 14, 1903; sec. 10.)

Each person violating such regulations shall be subject to a penalty of not more than one hundred dollars or imprisonment not to exceed six months, or both, in the discretion of the court. (Mar. 31, 1900; sec. 2.)

This Act shall be construed as supplementary to section nine of chapter three hundred and seventy-four of the Statutes of eighteen hundred and eighty two, and section forty-six hundred and six of the Revised Statutes. (Sec. 3.)

Boarding and search of vessel.

It shall be lawful for any officer of the customs, including inspectors and occasional inspectors, or of a revenue-cutter, or authorized agent of the Treasury Department, or other person specially appointed

Digitized by Google

for the purpose in writing by a collector, naval officer, or surveyor, to go on board of any vessel, as well without as within his district, and to inspect, search, and examine the same, and any person, trunk, or envelope on board, and to this end to hail and stop such vessel if under way, and to use all necessary force to compel compliance; and if it shall appear that any breach or violation of the laws of the United States has been committed, whereby or in consequence of which such vessel, or the merchandise, or any part thereof, on board of or imported by such vessel, is liable to forfeiture, to make seizure of the same, or either or any part thereof, and to arrest, or in case of escape, or any attempt to escape, to pursue and arrest any person engaged in such breach or violation. (R. S., 3059.)

The original appointment in writing of any person specially appointed under the provisions of the previous section shall be filed in the custom-house where such appointment is made. (R. S., 3060.)

It shall be lawful for all collectors, naval officers, surveyors, inspectors, and the officers of the revenue-cutters, to go on board of vessels in any port of the United States, or within four leagues of the coast thereof, if bound to the United States, whether in or out of their respective districts, for the purpose of demanding the manifests, and of examining and searching the vessels; and those officers respectively shall have free access to the cabin and every part of a vessel. (R. S., 3067.)

If any master of a vessel coming into or having arrived at any port within the United States, shall obstruct or hinder or shall intentionally cause any obstructions or hindrance to any officer in lawfully going on board such vessel for the purpose of carrying into effect any of the revenue laws of the United States, he shall for every such offense be liable to a penalty of not more than five hundred dollars nor less than fifty dollars. (R. S., 3068.)

If any box, trunk, chest, cask, or other package shall be found in the cabin, steerage, or forecastle of a vessel, or in any other place separate from the residue of the cargo, the officer of the customs shall take a particular account of such package, and of the marks and numbers thereof, if any, and a description thereof, and, if he judges proper, shall seal every such package; and such account and descrip-

Digitized by Google

tion shall be by him forwarded without delay to the collector of the district to which such vessel is bound. If upon her arrival at the port of her entry, the packages so described, or any of them, are missing, or if any seal put thereon has been broken, the master shall be liable to a penalty for every package missing, or on which any seal shall be broken, of two hundred dollars. (R. S., 3069.)

Digitized by Google

CHAPTER IV

ENTRY OF MERCHANDISE

Inward manifests.

No merchandise shall be brought into the United States, from any foreign port, in any vessel unless the master has on board manifests in writing of the cargo, signed by such master. (R. S., 2806.)

Every manifest required by the preceding section shall contain:

First. The name of the ports where the merchandise in such manifest mentioned were taken on board, and the ports within the United States for which the same are destined; particularly noting the merchandise destined for each port respectively. (R. S., 2807.)

Provided, however, That the master of a vessel laden exclusively either with sugar, coal, salt, hides, dyewoods, wool, or jute butts, consigned to one consignee, arriving at a port for orders, may be permitted to destine such cargo or determine its disposition "for orders," upon entering the vessel at the custom-house, and, within fifteen days afterward and before the unloading of any part of the cargo, to amend the manifest by designating the actual port of discharge of such cargo:

Provided further, That in the event of failure to designate the port of discharge within fifteen days such cargo must be discharged at the port where the vessel entered. (June 3, 1892.)

Second. The name, description, and build of the vessel; the true admeasurement or tonnage thereof; the port to which such vessel belongs; the name of each owner, according to the register of the same; and the name of the master of such vessel.

Third. A just and particular account of all the merchandise, so laden on board, whether in packages or stowed loose, of any kind or nature whatever, together with the marks and numbers as marked on each package, and the number or quantity and description of the packages in words at length, whether leaguer, pipe, butt, puncheon,

Digitized by Google

hogshead, barrel, keg, case, bale, pack, truss, chest, box, band-box, bundle, parcel, cask, or package, of any kind or sort, describing the same by its usual name or denomination.

Fourth. The names of the persons to whom such packages are respectively consigned, agreeably to the bills of lading signed for the same, unless when the goods are consigned to order, when it shall be so expressed in the manifest.

Fifth. The names of the several passengers on board the vessel, distinguishing whether cabin or steerage passengers, or both, with their baggage, specifying the number and description of packages belonging to each respectively. (R. S., 2807.)

Sixth. An account of the sea-stores remaining, if any.

If merchandise shall be imported, destined to be delivered in different districts or ports, the quantities and packages so destined to be delivered shall be inserted in successive order in the manifest; and all spirits and wines constituting the whole or any part of the cargo of any vessel shall also be inserted in successive order, distinguishing the ports to which the same may be destined, and the kinds, qualities, and quantities thereof. (R. S., 2808.)

If any merchandise is brought into the United States in any vessel whatever from any foreign port without having such a manifest on board, or which shall not be included or described in the manifest, or shall not agree therewith, the master shall be liable to a penalty equal to the value of such merchandise not included in such manifest; and all such merchandise not included in the manifest belonging or consigned to the master, mate, officers, or crew of such vessel, shall be forfeited. (R. S., 2809.)

Whenever it is made to appear to the satisfaction of the collector, naval officer, and surveyor, or to the major part of them, where those officers are established at any port, or to the satisfaction of the collector alone, where either of the other of the officers is not established, or to the satisfaction of the court in which a trial shall be had concerning such forfeiture, that no part of the cargo of any vessel without proper manifest was unshipped, after it was taken on board, except such as shall have been particularly specified and accounted for in the report of the master, and that the manifests have been lost or mislaid, without fraud or collusion, or were defaced

Digitized by Google

by accident, or became incorrect by mistake, no forfeiture or penalty shall be incurred under the preceding section. (R. S., 2810.)

Ports of entry.

It shall not be lawful to make entry of any vessel which shall arrive within the United States, from any foreign port, or of the cargo on board such vessel, elsewhere than at one of the ports of entry designated in chapter one [R. S., 2517–2612] of this Title [R. S., 2517–3129]; nor to unlade the cargo, or any part thereof, elsewhere than at one of the ports of delivery therein designated, except that every port of entry shall be also a port of delivery. This section shall not prevent the master or commander of any vessel from making entry with the collector of any district in which such vessel may be owned, or from which she may have sailed on the voyage from which she shall then have returned. (R. S., 2770.)

Vessels bound to port of delivery.

The master of every vessel bound to a port of delivery only, in any district, shall first come to at the port of entry of such district, with his vessel, and there make report and entry in writing, and pay all duties required by law, port fees and charges, before such vessel shall proceed to her port of delivery. Any master of a vessel who shall proceed to a port of delivery contrary to such directions shall be liable to a penalty of five hundred dollars, to be recovered with costs of suit. (R. S., 2772.)

Report and declaration of master.

Within twenty-four hours after the arrival of any vessel, from any foreign port, at any port of the United States established by law, at which an officer of the customs resides, or within any harbor, inlet, or creek thereof, in the hours of business at the office of the chief officer of the customs at such port will permit, or as soon thereafter as such hours will permit, the master shall repair to such office, and make report to the chief officer, of the arrival of the vessel; and he shall, within forty-eight hours after such arrival, make a further report in writing to the collector of the district, which report shall be in the form, and shall contain all the particulars required to be inserted in, and verified like, a manifest. Every master who shall neglect or omit to make either of such reports and declarations, or to verify any such declaration as required, or shall not fully comply

Digitized by Google

with the true intent and meaning of this section, shall, for each offense, be liable to a penalty of one thousand dollars. (R. S., 2774.)

The master of any vessel having on board distilled spirits, or wines, shall, within forty-eight hours after his arrival, whether the same be at the first port of arrival of such vessel or not, in addition to the requirements of the preceding section, report in writing to the surveyor or officer acting as inspector of the revenue of the port at which he has arrived, the foreign port from which he last sailed, the name of his vessel, his own name, the tonnage and denomination of such vessel, and to what nation belonging, together with the quantity and kinds of spirits and wines, on board of the vessel, particularizing the number of casks, vessels, cases, or other packages containing the same, with their marks and numbers, as also the quantity and kinds of spirits and wines, on board such vessel as sea-stores, and in default thereof he shall be liable to a penalty of five hundred dollars and any spirits omitted to be reported shall be forfeited. (R. S., 2775.)

If any vessel, having arrived within the limits of any collection-district, from any foreign port, departs, or attempts to depart from the same, unless to proceed on her way to some more interior district to which she may be bound, before report or entry shall have been made by the master with the collector of some district, the master shall be liable to a penalty of four hundred dollars; and any collector, naval officer, surveyor, or commander of any revenue cutter may cause such vessel to be arrested and brought back to the most convenient port of the United States. If, however, it is made to appear by the oath of the master, and of the person next in command, or by other sufficient proof to the satisfaction of the collector of the district within which such vessel shall afterward come, or to the satisfaction of the court in which the prosecution for such penalty may be had, that the departure or attempt to depart was occasioned by stress of weather, pursuit or duress of enemies, or other necessity, the penalty imposed by this section shall not be incurred. (R. S., 2773.)

Special inward manifest for Treasury Department.

Each master of a vessel arriving in the United States from a foreign port except vessels carrying traffic in bond on transfer ferries shall,

Digitized by Google

immediately upon landing and before entering his vessel at the custom-house, mail to the Auditor for the Treasury Department, Washington, a true copy of the manifest of his vessel, and shall on entering his vessel make affidavit that he has mailed such copy and that the same is true and correct; and he shall also mail to the said Auditor a true copy of the corrected manifest filed on any post entry of his vessel. Any master who neglects or refuses to mail to the Auditor the required copy of the original or corrected manifest shall be subject to the same fines and penalties fixed by law for his failure to deliver the manifest of his vessel to the collector: *Provided*, That this section shall not apply to ports where there is a naval officer. (Mar. 2, 1895; sec. 9.)

Cargo in bulk.

Vessels arriving at a port of entry in the United States, laden with coal, salt, railroad iron and other like articles in bulk may proceed to places within that collection district to be specially designated by the Secretary of the Treasury by general regulations or otherwise, under the superintendence of customs officers, at the expense of the parties interested, for the purpose of unlading cargoes of the character before mentioned. (R. S., 2776; June 26, 1884; sec. 29.)

Bond of cargo for reexport.

Any vessel may proceed with any merchandise brought in her, and, in the manifest delivered to the collector of the customs, reported as destined for any foreign port, from the district within which such vessel shall first arrive to such foreign port without paying or securing the payment of any duties upon such merchandise as shall be actually re-exported in the vessel. But the manifest so declaring to re-export such merchandise shall be delivered to such collector within forty-eight hours after the arrival of the vessel. And the master of such vessel shall give bond as required by the next section. (R. S., 2776.)

The master of any vessel so destined for a foreign port shall give bond, with one or more sureties, in a sum equal to the amount of the duties upon the merchandise, as the same shall be estimated by the collector and naval officer of the port where the report shall be made, to the satisfaction of the collector, with condition that the merchan-

Digitized by Google

dise, or any part thereof, shall not be landed within the United States, unless due entry thereof shall have been first made and the duties thereupon paid, according to law. Such bond shall be taken for the same period, and canceled in like manner, as a bond given for obtaining drawback of duties. No such bond shall be required in respect to merchandise on board of any vessel which has put into the United States from a necessity, shown as prescribed in section twenty-seven hundred and seventy-three. (R. S., 2777.)

The collector receiving any bond conditioned for the payment of duties upon merchandise reported as destined for a foreign port, in case the same shall be landed within the United States, or any other bonds taken upon the exportation of merchandise entitled to drawback, shall immediately after the time when by the conditions of the same they ought to be canceled, put the same in suit, provided the proof of the occurrence of such a necessity as excuses a landing of such goods within the United States has not been produced, or further time granted therefor by the Secretary of the Treasury. (R. S., 2778.)

Inspection of merchandise laden for export.

The collector shall direct the surveyor, where any, to inspect, or cause to be inspected, the merchandise notified for exportation, and if it is found to correspond fully with the notice and proof concerning the same, the collector, together with the naval officer, if any, shall grant a permit for lading the same on board of the vessel named in such notice and entry. Such lading shall be performed under the superintendence of the officer by whom the same has been so inspected; and the exporter shall make oath that the merchandise, so noticed for exportation, and laden on board such vessel, previous to the clearance thereof, or within ten days after such clearance, is truly intended to be exported to the place whereof notice has been given, and is not intended to be relanded within the United States; otherwise the merchandise shall not be entitled to the benefit of drawback. (R. S., 3035.)

Transfer of imported merchandise for export.

All merchandise imported into the United States, the duties on which have been paid, or secured to be paid, may be transported by land, or partly by land and partly by water, or coastwise, from the

Digitized by Google

district into which it was imported to any port of entry and exported from such port of entry with the benefit of drawback. (R. S., 3036.)

Delivery of cargo in various districts.

Any vessel in which any merchandise is brought into the United States from any foreign port, and which is specified in the manifest verified before the collector of the port in which such vessel first arrives, to be destined for other districts, may proceed with the same from district to district within the United States, in order to the landing or delivery thereof; and the duties on such of the merchandise only as shall be landed in any district shall be paid within such district. (R. S., 2779.)

Before any vessel departs from the district in which she shall first arrive for another district, provided such departure is not within forty-eight hours after her arrival within such district, with merchandise brought in such vessel from a foreign port on which the duties have not been paid, the master shall obtain from the collector of the district from which she is about to depart, who is hereby required to grant the same, a copy of the report and manifest made by such master, certified by the collector, to which copy shall be annexed a certificate of the quantity and particulars of the merchandise which appears to him to have been landed within his district, or of the quantity and particulars of the merchandise which remains on board and upon which the duties are to be paid in some other district. (R. S., 2780.)

Within twenty-four hours after the arrival of such vessel within any other district, the master shall make report or entry to or with the collector of such other district, producing and showing the certified copy of his first report, together with a certificate from each collector of any other district within which any of the merchandise, brought in such vessel, has been landed, of the quantity and particulars of such merchandise as has been landed in each district respectively. (R. S., 2781.)

The master shall, however, first give bond, with one or more sureties, to the satisfaction of the collector of the district within which the vessel first arrives, in a sum equal to the amount of the duties on the residue of the merchandise, according to such estimate as the collector shall form thereof, with condition that the residue of such

Digitized by Google

merchandise shall be duly entered and delivered in another district for which the same has been reported to be destined. (R. S., 2782.)

The bond shall be canceled or discharged within six calendar months from the date thereof, by the production of certificates from the collectors of the districts for which the merchandise has been reported, showing the due entry and delivery of the merchandise in such districts, or upon due proof to the satisfaction of the collector by whom the bond was taken, and to the naval officer of the port, if any, that such entry and delivery were prevented by some unavoidable accident or casualty, and if the whole or any part of the merchandise has not been lost, that it has been duly entered and delivered within the United States. (R. S., 2783.)

If the master of any such vessel fails by his neglect or fault to obtain the copy of his report from the collector of the district from which he is about to depart, or any certificate which he ought to obtain, or neglects to exhibit the same to the collector of any other district to which the vessel afterward proceeds, within the time for that purpose allowed, he shall be liable to a penalty, for every such neglect or omission, of five hundred dollars. (R. S., 2784.)

Vessels exempt from entry.

It shall not be necessary for the master of any vessel of war, or of any vessel employed by any prince, or state, as a public packet for the conveyance of letters and dispatches, and not permitted by the laws of such prince or state to be employed in the transportation of merchandise, in the way of trade, to make report and entry. (R. S., 2791.)

Any passenger vessel engaged triweekly or oftener in trade between ports of the United States and foreign ports shall be exempt from entrance and clearance fees and tonnage taxes while such service triweekly or oftener is maintained. (May 28, 1908.)

Sea-stores.

In order to ascertain what articles ought to be exempt from duty as the sea-stores of a vessel, the master shall particularly specify the articles, in the report or manifest to be by him made, designating them as the sea-stores of such vessel; and in the oath to be taken by such master, on making such report, he shall declare that the articles

Digitized by Google

so specified as sea-stores are truly such, and are not intended by way of merchandise or for sale; whereupon the articles shall be free from duty. (R. S., 2795.)

Whenever it appears to the collector to whom a report and manifest of sea-stores are delivered, together with the naval officer, where there is one, or alone, where there is no naval officer, that the quantities of the articles, or any part thereof, reported as sea-stores, are excessive, the collector, jointly with the naval officer, or alone, as the case may be, may in his discretion estimate the amount of the duty on such excess; which shall be forthwith paid by the master, to the collector, on pain of forfeiting the value of such excess. (R. S., 2796.)

If any other or greater quantity of articles are found on board such vessel as sea-stores than are specified in an entry of sea-stores, or if any of the articles are landed without a permit first obtained from the collector, and naval officer if any, for that purpose, all such articles as are not included in the report or manifest by the master, and all which are landed without a permit, shall be forfeited, and may be seized; and the master shall moreover be liable to a penalty of treble the value of the articles omitted or landed. (R. S., 2797.)

Sea-stores and the legitimate equipment of vessels belonging to regular lines plying between foreign ports and the United States delayed in port for any cause may be transferred in such port of the United States under the supervision of the customs officers from one vessel to another vessel of the same owner without payment of duties, but duties must be paid on such stores or equipments landed for consumption, except American products. (Mar. 3, 1897; sec. 17.)

Coal.

The master of any vessel propelled by steam, arriving at any port in the United States, may retain all the coal such vessel may have on board at the time of her arrival, and may proceed with such coal to a foreign port, without being required to land the same in the United States, or to pay any duty thereon. (R. S., 2798.)

Inspection of inward manifests by boarding officer.

Every master of any vessel laden with merchandise, and bound

Digitized by Google

to any port in the United States shall, on his arrival within four leagues of the coast thereof, or within any of the bays, harbors, ports, rivers, creeks, or inlets, thereof, upon demand, produce the manifests in writing, which such master is required to have on board his vessel, to such officer of the customs as first comes on board his vessel, for inspection, and shall deliver to such officer true copies thereof, which copies shall be provided and subscribed by the master, and the officer to whom the original manifests have been produced shall certify upon the back thereof that the same were produced, and the day and year on which the same were so produced, and that such copies were to him delivered and by him examined with the original manifest; and shall likewise certify upon the back of such copies the day and year on which the same were delivered, and shall forthwith transmit such copies to the respective collectors of the several districts, to which the goods by such manifests appear respectively to be consigned. (R. S., 2811.)

The master of any such vessel shall in like manner produce to the officer of the customs who first comes on board such vessel, upon her arrival within the limits of any collection-district in which the cargo, or any part thereof, is intended to be discharged or landed, for his inspection, such manifest; and shall also deliver to him true copies thereof, such copies also to be provided and subscribed by the master, the production of which manifests and the delivery of which copies shall also be certified by the officer of the customs, upon the back of the original manifests, with the particular day and year when such manifests were produced to such officer, and when he so received the copies thereof; and such officer is required forthwith to transmit the copies of the manifest to the collector of the district; and the master shall afterward deliver the original manifests so certified to the collector. When any manifest shall be produced, upon which there shall be no certificate from any officer of the customs as before mentioned, the master producing the same shall be required to make oath that no officer has applied for, and that no indorsement has taken place on, any manifest of the cargo of such vessel. (R. S., 2812.)

The master of any such vessel shall not be required to make delivery of more than one copy of each manifest to the officer who shall first come on board of such vessel, within four leagues of the coast of the United States, and one other copy to such officer as shall

Digitized by Google

first come on board within the limits of any collection-district, for which the cargo of such vessel, or some part thereof, is destined, nor to make delivery of any such copy to any other officer; but it shall be sufficient, in respect to any such other officer, to exhibit, to him the original manifest and the certificates thereupon. (R. S., 2813.)

If the master of any vessel laden with merchandise, and bound to any port in the United States, fails upon his arrival within four leagues of the coast thereof, or within the limits of any collection-district, where the cargo of such vessel, or any part thereof, is intended to be discharged, to produce such manifests, as are heretofore required, in writing, to the proper officer upon demand therefor, or to deliver such copies thereof, according to the directions of the preceding, sections or if he fails to give an account of the true destination of the vessel, which he is hereby required to do, upon request of such officer, or gives a false account of such destination, in order to evade the production of the manifests, the master shall for every such neglect, refusal, or offense, be liable to a penalty of not more than five hundred dollars. If any officer first coming on board, in each case, shall neglect or refuse to certify on the back of such manifests the production thereof, and the delivery of such copies respectively as are directed to be delivered to such officer, such officer shall be liable to a penalty of five hundred dollars. (R. S., 2814.)

The officers who may apply to the master of any such vessel, respecting any of the provisions in the preceding sections, and who shall not receive full satisfaction therein, are hereby required to make a return in writing of the name of the vessel and master so offending, in any or all of the particulars required, as soon as possible, to the collector of the district to which such vessel shall be considered to be bound. (R. S., 2815.)

Collectors and surveyors, respectively, may, whenever they judge it to be necessary for the security of the revenue, put an inspector of the customs on board any vessel, to accompany the same until her arrival at the first port of entry or delivery, in the district to which such vessel may be destined. If the master of any vessel shall neglect or omit to deposit a manifest as herein prescribed, or shall refuse to receive an inspector of the customs on board, as the case requires, he shall forfeit and pay five hundred dollars, to be recovered with cost of suit, one-half for the use of the officer with

Digitized by Google

whom such manifest ought to have been deposited, and the other half to the use of the collector of the district to which such vessel may be bound. If, however, the manifest shall, in either of the above cases, have been previously delivered to any officer of the customs, pursuant to the provisions hereinafter made in that behalf, the depositing of a manifest shall not be necessary. (R. S., 2834; Mar. 3, 1897; sec. 15.)

Entry of merchandise for different port of destination.

The importer, or his agent, may enter merchandise at the port of entry for the collection-district into which it is to be imported in the usual manner; and the collector shall grant a permit for the landing thereof, and cause the duties to be ascertained as in other cases, the goods remaining in the custody of the collector until reshipped for the place of destination. The collector shall certify to the surveyor at such place the amount of such duties, which the surveyor shall enter on the margin of the bond given to secure the same; and the merchandise shall be delivered by the collector to the agent of the importer or consignee, duly authorized to receive the same, for shipment to the place of destination. (R. S., 2826.)

The master or conductor of every vessel or vehicle in which such merchandise shall be transported, shall, previously to departure from the port of entry, deliver to the collector duplicate manifests of such merchandise, specifying the marks and numbers of every case, bag, box, chest, or package, containing the same, with the name and place of residence of every importer or consignee of such merchandise, and the quantity shipped to each, to be by him subscribed, and to the truth of which he shall swear, and that the merchandise has been received on board his vessel or vehicle, stating the name of the agent who shipped the same; and the collector shall certify the facts, on the manifests, one of which he shall return to the master, with a permit thereto annexed, authorizing him to proceed to the place of his destination. (R. S., 2827.)

If any vessel or vehicle having such merchandise on board shall depart from the port of entry without having complied with the provisions of the preceding section, the master or conductor thereof shall be liable to a penalty of five hundred dollars. (R. S., 2828.)

Digitized by Google

Comparison of cargo and manifest.

The surveyor at the port of delivery shall cause the casks, bags, boxes, chests, or packages, to be inspected, and compared with the manifests, and the same being identified he shall grant a permit for unloading the same, or such part thereof as the master or conductor shall request; and when a part only of such merchandise is intended to be landed the surveyor shall make an indorsement on the back of the manifests, designating such part, specifying the articles to be landed, and shall return the manifests to the master or conductor, indorsing thereon his permission to such vessel or vehicle to proceed to the place of its destination. (R. S., 2830.)

Illegal unlading.

If after the arrival of any vessel laden with merchandise and bound to the United States, within the limits of any collection-district, or within four leagues of the coast, any part of the cargo of such vessel shall be unladen, for any purpose whatever, before such vessel has come to the proper place for the discharge of her cargo, or some part thereof, and has been there duly authorized by the proper officer of the customs to unlade the same, the master of such vessel and the mate, or other person next in command, shall respectively be liable to a penalty of one thousand dollars for each such offense, and the merchandise so unladen shall be forfeited, except in case of some unavoidable accident, necessity, or distress of weather. In case of such unavoidable accident, necessity, or distress, the master of such vessel shall give notice to, and, together with two or more of the officers or mariners on board such vessel, of whom the mate or other person next in command shall be one, shall make proof upon oath before the collector, or other chief officer of the customs of the district, within the limits of which such accident, necessity, of distress happened, or before the collector, or other chief officer to the collection-district, within the limits of which such vessel shall first afterward arrive, if the accident, necessity, or distress happened not within the limits of any district, but within four leagues of the coast of the United States. The collector, or other chief officer, is hereby authorized and required to administer such oath. (R. S., 2867.)

If any merchandise, so unladen from on board any such vessel, shall be put or received into any other vessel, except in the case of

Digitized by Google

such accident, necessity, or distress, to be so notified and proved, the master of any such vessel into which the merchandise shall be so put and received, and every other person aiding and assisting therein, shall be liable to a penalty of treble the value of the merchandise, and the vessel in which they shall be so put shall be forfeited. (R. S., 2868.)

Special permit to unlade by night and preliminary entry.

Upon arrival at any port in the United States of any vessel or other conveyance from a foreign port or place, either directly or by way of another port in the United States, or upon such arrival from another port in the United States of any vessel or other conveyance belonging to a line designated by the Secretary of the Treasury as a common carrier of bonded merchandise, and, after due report and entry of such vessel in accordance with existing law or due report, under such regulations as the Secretary of the Treasury may prescribe, of the arrival of such other conveyances, the collector of customs, with the concurrence of the naval officer at ports where there is a naval officer, shall grant, upon proper application therefor, a special license to lade or unlade the cargo of any such vessel or other conveyance at night; that is to say, between sunset and sunrise. (Sec. 1.)

The master of any vessel from a foreign port or place, upon arrival within a customs collection district of the United States, bound to a port of entry in such district, may make preliminary entry of the vessel by making oath or affirmation to the truth of the statements contained in his original manifest and delivering his said original manifest to the customs officer who shall board such vessel within such district, with a copy of said original manifest for the use of the naval officer at ports where there is a naval officer; whereupon, upon arrival at the wharf or place of discharge, the lading or unlading of the cargo of such vessel may proceed, by both day and night, under such regulations as the Secretary of the Treasury may prescribe. (Sec. 2.)

Before any such special license to lade or unlade at night shall be granted and before any permit shall be issued for the immediate lading or unlading of any such vessel after preliminary entry, as hereinbefore provided, either by day or by night the master, owner, agent, or consignee of such vessel or other conveyance shall make proper

Digitized by Google

application therefor and shall at the same time execute and deliver to the United States, through the collector of customs, a good and sufficient bond, in a penal sum to be approved by the said collector, conditioned to indemnify and save the United States harmless from any and all losses and liabilities which may occur or be occasioned by reason of the granting of such special license or the issuing or granting of such permit for immediate lading or unlading; or the master, owner, agent, consignee, or probable consignee, as aforesaid, may execute and deliver to the United States, in like manner and form, a good and sufficient bond, in the panel sum of fifty thousand dollars, conditioned to indemnify and save the United States harmless from any and all losses and liabilities which may occur or be occasioned by reason of the granting of such special licenses and the issuing or granting of such permits for immediate lading or unlading by day and night during a period of six months. (Sec. 3.)

Such application having been duly made and the required bond having been duly executed and delivered, special license or licenses to lade or unlade at night after regular entry of vessels, and due report of other conveyances, may be granted, and a permit or permits may be issued for the immediate lading and unlading, by day and night, of vessels admitted to preliminary entry, or of other conveyances of which due report of arrival has been made: *Provided*, That the provisions of this Act shall extend and be applicable to any vessels or other conveyances bound to a port of entry in the United States to be unladen at a port of delivery or to be unladen at a place of discharge designated by the Secretary of the Treasury under the provisions of section twenty-seven hundred and seventy-six of the Revised Statutes as amended: *Provided further*, That when preliminary entry of a vessel shall be made by the master as herein provided he shall not be relieved from making due report and entry of his vessel at the custom-house in accordance with existing law, and any liability of the master or owner of any such vessel to the owner or consignee of any merchandise landed from her shall not be affected by the granting of such special license, but such liability shall continue until the merchandise is properly removed from the dock whereon the same may be landed. (Sec. 4.)

The Secretary of the Treasury shall fix a reasonable rate of extra compensation for night services of inspectors, storekeepers, weighers and other customs officers and employees in connection with the lad-

Digitized by Google

ing or unlading of cargo at night, or the lading at night of cargo or merchandise for transportation in bond or for exportation in bond, or for the exportation with benefit of drawback, but such rate of compensation shall not exceed an amount equal to double the rate of compensation allowed to each such officer or employee for like services rendered by day, the said extra compensation to be paid by the master, owner, agent, or consignee of such vessel or other conveyance, whenever such special license or permit for immediate lading or unlading or for lading or unlading at night or on Sundays or holidays shall be granted, to the collector of customs, who shall pay the same to the several customs officers and employees entitled thereto according to the rates fixed therefor by the Secretary of the Treasury. Customs officers acting as boarding officers, and any customs officer who may be designated for that purpose by the collector of customs, and hereby authorized to administer the oath or affirmation herein provided for, and such boarding officers shall be allowed extra compensation for services in boarding vessels at night or on Sundays or holidays—at the rate prescribed by the Secretary of the Treasury as herein provided, the said extra compensation to be paid by the master, owner, agent, or consignee of such vessels. (R. S., 2871; June 30, 1906; Feb. 13, 1911; sec. 5.)

Unlading by day.

Except as authorized by the preceding section, no merchandise brought in any vessel from any foreign port shall be unladen or delivered from such vessel within the United States but in open day—that is to say, between the rising and the setting of the sun—except by special license from the collector of the port, and naval officer of the same, where there is one, for that purpose, nor at any time without a permit from the collector, and naval officer, if any, for such unlading or delivery. (R. S., 2872.)

When the license to unload between the setting and rising of the sun is granted to a sailing vessel under this section, a fixed, uniform, and reasonable compensation may be allowed to the inspector or inspectors for service between the setting and rising of the sun, under such regulations as the Secretary of the Treasury may prescribe, to be received by the collector from the master, owner, or consignee of the vessel, and to be paid by him to the inspector or inspectors. (June 26, 1884; sec. 25.)

Digitized by Google

If any merchandise shall be unladen or delivered from any vessel contrary to the preceding section, the master of such vessel, and every other person who shall knowingly be concerned, or aiding therein, or in removing, storing, or otherwise securing such merchandise, shall each be liable to a penalty of four hundred dollars for each offense, and shall be disabled from holding any office of trust or profit under the United States, for a term not exceeding seven years; and the collector of the district shall advertise the name of such person in a newspaper printed in the State in which he resides, within twenty days after each respective conviction. (R. S., 2873.)

All merchandise, so unladen or delivered contrary to the provisions of section twenty-eight hundred and seventy-two, shall become forfeited, and may be seized by any of the officers of the customs; and where the value thereof, according to the highest market price of the same, at the port or district where landed, shall amount to four hundred dollars, the vessel, tackle, apparel, and furniture shall be subject to like forfeiture and seizure. (R. S., 2874.)

Supervision of unlading.

The collector of any district at which any vessel arrives, immediately on her first coming within such district, or the surveyor of any port where such vessel is, may put and keep on board such vessel, while remaining within such district, or in going from one district to another, one or more inspectors to examine the cargo or contents of such vessel, and to superintend the delivery thereof, or of so much thereof as shall be delivered within the United States, and to perform such other duties according to law, as they shall be directed by the collector, or surveyor, to perform for the better securing the collection of the duties. Only collectors shall have power, however, to put inspectors on board vessels to go from one district to another. (R. S., 2875.)

The inspector shall make known to the master of such vessel the duties he is to perform; and shall suffer no merchandise to be unladen, or otherwise removed from such vessel, without a permit in writing from the collector of the port, and naval officer thereof, if any. The inspector shall enter in a book, to be by him kept according to such a form as shall be prescribed or approved by the collector, the name of the person in whose behalf such permits are granted, together with the particulars therein specified, and the marks, num-

Digitized by Google

bers, kinds, and description of the respective packages which shall be unladen pursuant thereto, and shall keep a like account in the book of all merchandise which, not having been entered within the time limited by this Title [R. S., 2517–3129], or for some other cause, has been sent to the store or warehouse provided for the reception of such merchandise; such book shall be delivered to the surveyor in the month of January in every year for his inspection, and immediately after such inspection be transmitted by the surveyor, with such observations as he may think necessary thereon, to the collector, to be deposited in his office. (R., S. 2876.)

The inspector shall attend to the delivery of the cargo under his care, at all times when the unlading or delivery of merchandise is lawful, particularly from the rising to the setting of the sun on each day, Sundays and the fourth day of July in each year excepted; for which purpose he shall constantly attend and remain on board the vessel, the deliveries from which he is to superintend, or at any other station where his inspection is necessary. The inspector shall not quit such station or place without the leave of the surveyor of the port first obtained, who shall appoint another inspector, if he deems it necessary, to supply the place of such inspector during his absence; and any inspector who shall neglect or in any manner act contrary to the duties hereby enjoined, shall for the first offense be liable to a penalty of the sum of fifty dollars, and for the second offense shall be displaced, and be incapable of holding any station of trust or profit under the revenue laws of the United States, for a term not exceeding seven years. (R. S., 2877.)

No inspector shall perform any other duties or service on board any vessel, the superintendence of which is committed to him for any person whatever, other than what is required by this Title [R. S., 2517–3129], under the penalty of being disabled from acting any longer as an inspector of the customs; the wages or compensation of such inspector as may proceed from one district to another, shall be defrayed by the master of the vessel committed to his care; every inspector or other officer of the revenue, while performing any duty on board any vessel, not in a port of the United States, discharging her cargo, shall be entitled to receive from the master of such vessel such provisions and accommodations as are usually supplied to passengers, or as the state and condition of such vessel will admit, on receiving therefor fifty cents a day; and any master of any vessel

Digitized by Google

who shall refuse such provisions and reasonable accommodations shall be liable to a penalty of one hundred dollars. (R. S., 2878.)

If, by reason of the delivery of the cargo in several districts, more than the term allowed by law shall in the whole be spent therein, the wages or compensation of the inspector who may be employed on board of any vessel, in respect to which such term may be so exceeded, shall, for every day of such excess, be paid by the master or owner; and the inspector shall, previously to the clearance of the vessel, render an exact account to the collector of all such compensation as has been paid, or is due and payable by the master or owner. (R. S., 2879.)

The inspector who may be put on board of any vessel shall secure, after sunset in each evening, or previous to his quitting the vessel, the hatches and other communications with the hold of such vessel, or any other part thereof he may judge necessary, with locks or other proper fastenings, which locks or other fastenings shall not be opened, broken, or removed until the morning following, or after the rising of the sun, and in the presence of the inspector by whom the same were affixed, except by special license from the collector of the port, and the naval officer, if any, first obtained. If the locks or other fastenings, or any of them, are broken or removed contrary to this section, or, if any merchandise or packages are clandestinely landed, notice thereof shall be immediately given by the inspector to the collector and naval officer, if any, of the port where the vessel may be; and the master of such vessel shall, for each or every such offense, be liable to a penalty of five hundred dollars. (R., S., 3070.)

Merchandise shall not be entered or delivered from customs custody elsewhere than at one of the ports of entry hereinbefore designated, except at the expense of the parties in interest, upon express authority from the Secretary of the Treasury and under conditions to be prescribed by him. When it shall be made to appear to the Secretary of the Treasury that the interests of commerce or the protection of the revenues so require, he may cause to be stationed at places in the various collection districts, though not named as ports of entry, officers or employees of the customs with authority to enter and clear vessels, to accept entries of merchandise, to collect duties, and to enforce the various provisions of the customs and

Digitized by Google

navigation laws. (See Appendix A.) (Executive order; Mar. 3, 1913.)

Limit of time for unlading.

Whenever any merchandise shall be imported into any port of the United States from any foreign port, in any vessel, at the expiration of ten working days if the vessel is less than five hundred tons register, and within fifteen working days if it is of five hundred tons register and less than one thousand, and within twenty working days if it is of one thousand tons register and less than fifteen hundred, and within twenty-five working days if it is of fifteen hundred tons register and upward, not including legal holidays and days when the condition of the weather prevents the unlading of the vessel with safety to its cargo, after the time within which the report of the master of any vessel is required to be made to the collector of the district, if there is found any merchandise other than has been reported for some other district or some foreign port, the collector shall take possession thereof; but with the consent of the owner or consignee of any merchandise, or with the consent of the owner or master of the vessel in which the same may be imported, the merchandise may be taken possession of by the collector after one day's notice to the collector of the district. All merchandise so taken shall be delivered pursuant to the order of the collector of the district, for which a certificate or receipt shall be granted. (R. S., 2880; May 9, 1896.)

The limitation of time for unlading, prescribed by the preceding section, shall not extend to vessels laden exclusively with coal, salt, sugar, hides, dyewoods, wool, or jute butts, consigned to one consignee, arriving at a port for orders; but if the master of any such vessel requires a longer time to discharge her cargo, the wages or compensation of the inspector, for every day's attendance exceeding the number of days allowed by law, shall be paid by the master or owner; and thereupon the collector is hereby authorized and required to allow such longer time, not exceeding fifteen days. (R. S., 2881; June 3, 1892; sec. 2.)

All merchandise of which the collector shall take possession under the provisions relating to the time for the discharge of a vessel's cargo shall be kept with due and reasonable care at the charge and risk of the owner. (R. S., 2969.)

Digitized by Google

Post entry.

If any package whatever which has been so reported is wanting, and not found on board such vessel, or if the merchandise on board such vessel does not otherwise agree with the report or manifest delivered by the master of any such vessel, in every such case the master shall be liable to a penalty of five hundred dollars; except that if it is made to appear to the satisfaction of the collector, naval officer, and surveyor, or to the major part of them where those officers are established at any port, or to the satisfaction of the collector alone where neither of the others is established, or in case of trial for the penalty, to the satisfaction of the court, that no part whatever of merchandise of such vessel has been unshipped, landed, or unladen since it was taken on board, except as specified in the report or manifest, and pursuant to permits, or that the disagreement is by accident or mistake, in such case the penalty shall not be inflicted. But in all such cases the master of any vessel shall be required and shall make a post entry or addition to the report or manifest by him delivered of any and all merchandise omitted to be included and reported in such manifest; and it shall not be lawful to grant a permit to unlade any such merchandise so omitted before such post entry or addition to such report or manifest has been made. (R. S., 2887.)

Returns of unlading of cargo.

When the delivery of merchandise from on board of any vessel is completed, copies of the accounts or entries which have been kept or made thereof, by the officer charged with the deliveries, shall be returned to the collector of the district, and the naval officer, if any, within three days after such delivery has been completed, if at the port where such officer resides, and if at any other port as soon as the nature of the case will admit, not exceeding fifteen days. The accounts or entries to be so returned shall comprise all deliveries made pursuant to permits, and all packages or merchandise sent to the public stores; also each and every package remaining on board of such vessel for the purpose of being exported therein to a foreign port, or to some other district of the United States. (R. S., 2888.)

Such returns shall be signed by the inspectors respectively under whose superintendence the deliveries have been made; and, after

Digitized by Google

examination, and on being found correct, shall be countersigned or certified by the surveyor of the port, if any, at the port where the deliveries have been made. The returns shall be transmitted by him to the naval officer, if any; who shall compare the same with the manifests and entries in his possession; and if any difference appears, the particulars thereof shall be noted by indorsement on the returns; and if no difference appears, it shall be so noted by like indorsements. The naval officer shall transmit the returns to the collector of the district; and on being returned to the collector, shall be by him compared with the manifests and entries of the merchandise, which have been made by the owner, consignee, or his factor or agent; and if any difference appears, the same shall be noted by indorsement on such manifests, specifying the particulars thereof; and if no difference appears, it shall be noted by like indorsement, that the delivery corresponds with the entry or entries thereof. The indorsement or memorandum shall, in each case, be subscribed by the officer by whom the comparison was made. (R. S., 2889.)

Vessels in distress.

If any vessel from any foreign port, compelled by distress of weather, or other necessity, shall put into any port of the United States, not being destined for the same, the master, together with the mate or person next in command, may, within twenty-four hours after her arrival, make protest in the usual form upon oath, before a notary public or other person duly authorized, or before the collector of the district where the vessel arrives, setting forth the cause or circumstances of such distress or necessity. Such protest, if not made before the collector, shall be produced to him, and to the naval officer, if any, and a copy thereof lodged with him or them. The master shall also, within forty-eight hours after such arrival, make report in writing to the collector, of the vessel and her cargo, as is directed hereby to be done in other cases. And if it appear to the collector, by the certificate of the wardens of the port, or other officers usually charged with, and accustomed to ascertain the condition of vessels arriving in distress, if any, or by the certificate of two reputable merchants, to be named for that purpose by the collector, if there are no such wardens, or other officers duly qualified, that there is a necessity for unlading the vessel, the collector and naval officer, if any, shall grant a permit for that purpose, and shall appoint an inspector to oversee such unlading, who shall keep an account

Digitized by Google

of the same, to be compared with the report made by the master of the vessel. (R. S., 2891.)

All merchandise so unladen from any vessel arriving in distress shall be stored under the direction of the collector, who, upon request of the master of such vessel, or of the owner thereof, shall, together with the naval officer, where there is one, and alone where there is none, grant permission to dispose of such part of the cargo as may be of a perishable nature, if any there be, or as may be necessary to defray the expenses attending such vessel and her cargo. But entry shall be made therefor, and the duties paid. (R. S., 2892.)

In case the delivery of the cargo does not agree with the report thereof, made by the master of such vessel so arriving in distress, and if the difference or disagreement is not satisfactorily accounted for in manner prescribed by this Title [R. S., 2517–3129], the master of such vessel shall be liable to such penalties as in other like cases are prescribed. (R. S., 2893.)

The merchandise, or the remainder thereof, which shall not be disposed of, may be reladen on board the vessel so arriving in distress, under the inspection of the officer who superintended the landing thereof, or other proper person; and the vessel may proceed with the same to the place of her destination, free from any other charge than for the storing and safe-keeping of the merchandise, and fees to the officers of the customs as in other cases. (R. S., 2894.)

Obstruction by ice.

When a vessel is prevented by ice from getting to the port or place at which her cargo is intended to be delivered, the collector of the district in which such vessel may be obstructed may receive the report and entry of such vessel, and, with the consent of the naval officer, where there is one, grant permits for unlading or landing the merchandise imported in such vessel, at any place within his district, most convenient and proper. The report and entry of such vessel, and her cargo, or any part thereof, and all persons concerned therein, shall be subject to the same regulations and penalties as if the vessel had arrived at the port of her destination, and had there proceeded to the delivery of her cargo. (R. S., 2896.)

Salvage of merchandise.

All merchandise imported into the United States shall, for the

Digitized by Google

purpose of this title [R. S., 2517–3129] be deemed and held to be the property of the person to whom the merchandise may be consigned; but the holder of any bill of lading consigned to order and endorsed by the consignor shall be deemed the consignee thereof.

And in case of the abandonment of any merchandise to the underwriters, the latter may be recognized as the consignee, and under such regulations as the Secretary of the Treasury may prescribe, merchandise saved from a vessel wrecked or abandoned at sea, or on or along the coasts of the United States and promptly brought into a port of the United States by or in possession of the salvors of the same, can, for the purpose of its title, be regarded as the property of such salvors, and the valuation thereof and payment of duties thereon can be made accordingly and with due reference to the condition of said merchandise as thus saved and the necessities of the case:

Provided, however, That such bringing in by salvors shall be in good faith and without intent to evade the just payment of duty:

And provided further, That nothing herein contained shall be so construed as to prejudice in any other respect the rights of property, or of or through abandonment or allowance of the owner or any other person interested in said merchandise. (R. S., 3058; Feb. 23, 1887.)

Fradulent importation of merchandise.

If any person shall fraudulently or knowingly import or bring into the United States, or assist in so doing any merchandise, contrary to law, or shall receive, conceal, buy, sell, or in any manner facilitate the transportation, concealment, or sale of such merchandise after importation, knowing the same to have been imported contrary to law, such merchandise shall be forfeited and the offender shall be fined in any sum not exceeding five thousand dollars nor less than fifty dollars, or be imprisoned for any time not exceeding two years, or both. Whenever, on trial for a violation of this section, the defendant is shown to have or to have had possession of such goods, such possession shall be deemed evidence sufficient to authorize conviction, unless the defendant shall explain the possession to the satisfaction of the jury. (R. S., 3082.)

Bribery and solicitation of bribes.

Any person who shall give, or offer to give or promise to give

Digitized by Google

any money or thing of value, directly or indirectly, to any officer or employee of the United States in consideration of or for any act or omission contrary to law in connection with or pertaining to the importation, appraisement, entry, examination, or inspection of goods, wares, or merchandise, including herein any baggage, or of the liquidation of the entry thereof, or shall by threats or demands, or promises of any character attempt to improperly influence or control any such officer or employee of the United States as to the performance of his official duties shall, on conviction thereof, be fined not exceeding two thousand dollars, or be imprisoned at hard labor not more than one year, or both, in the discretion of the court; and evidence of such giving, or offering, or promising to give, satisfactory to the court in which such trial is had, shall be regarded as prima facie evidence that such giving or offering or promising was contrary to law, and shall put upon the accused the burden of proving that such act was innocent, and not done with an unlawful intention. (June 10, 1890; sec. 26; Oct. 3, 1913, sec. III, AA.)

Any officer or employee of the United States who shall, excepting for lawful duties or fees, solicit, demand, exact or receive from any person, directly or indirectly, any money or thing of value, in connection with or pertaining to the importation, appraisement, entry, examination, or inspection of goods, wares, or merchandise, including herein any baggage, or liquidation of the entry thereof, on conviction thereof, shall be fined not exceeding five thousand dollars, or be imprisoned at hard labor not more than two years, or both, in the discretion of the court. And evidence of such soliciting, demanding, exacting, or receiving, satisfactory to the court in which such trial is had, shall be regarded as prima facie evidence that such soliciting, demanding, exacting, or receiving was contrary to law, and shall put upon the accused the burden of proving that such act was innocent and not with an unlawful intention. (June 10, 1890; sec. 27; Oct. 3, 1913; sec. III, BB.)

Liens for freight or general average.

Whenever the collector of the port of entry of the vessel, or other proper officer of the customs, shall be duly notified in writing of the existence of a lien for freight, charges, or contribution in general average upon imported goods, wares, or merchandise in his custody, he shall, before delivering such goods, wares, or merchandise to the

Digitized by Google

importer, owner, or consignee thereof for consumption, or to any vessel or vehicle for transportation or exportation, give seasonable notice to the party or parties claiming the lien; and the possession by the officers of customs shall not affect the discharge of such lien, under such regulations as the Secretary of the Treasury may prescribe; and such officer shall refuse the delivery of such merchandise from any public or bonded warehouse or other place in which the same shall be deposited until proof to his satisfaction shall be produced that the freight, charges, or contribution in general average thereon has been paid or secured; but the rights of the United States shall not be prejudiced thereby, nor shall the United States or its officers be in any manner liable for losses consequent upon such refusal to deliver. If merchandise so subject to a lien, regarding which notice has been filed, shall be forfeited to the United States and sold, the freight, charges, or contribution in general average due thereon shall be paid from the proceeds of such sale in the same manner as other charges and expenses authorized by law to be paid therefrom are paid. (R. S., 2981; May 21, 1896.)

Digitized by Google

CHAPTER V

LIABILITY OF OWNERS, MASTERS, AND SHIPPERS

Liability of Owners, Masters and Shippers.

If any shipper of platina, gold, gold dust, silver, bullion, or other precious metals, coins, jewelry, bills of any bank or public body, diamonds, or other precious stones, or any gold or silver in a manufactured or unmanufactured state, watches, clocks, or time pieces of any description, trinkets, orders, notes, or securities for payment of money, stamps, maps, writings, title-deeds, printings, engravings, pictures, gold or silver plate or plated articles, glass, china, silks in a manufactured or unmanufactured state, and whether wrought up or not wrought up with any other material, furs, or lace, or any of them, contained in any parcel, or package, or trunk, shall lade the same as freight or baggage, on any vessel, without at the time of such lading giving to the master, clerk, agent, or owner of such vessel receiving the same a written notice of the true character and value thereof, and having the same entered on the bill of lading therefor, the master and owner of such vessel shall not be liable as carriers thereof in any form or manner; nor shall any such master or owner be liable for any such goods beyond the value and according to the character thereof so notified and entered. (R. S., 4281.)

No owner of any vessel shall be liable to answer for or make good to any person any loss or damage which may happen to any merchandise whatsoever, which shall be shipped, taken in, or put on board any such vessel, by reason or by means of any fire happening to or on board the vessel, unless such fire is caused by the design or neglect of such owner. (R. S., 4282.)

The liability of the owner of any vessel, for any embezzlement, loss, or destruction, by any person, of any property, goods, or merchandise, shipped or put on board of such vessel, or for any loss, damage, or injury by collision, or for any act, matter, or thing, lost, damage,

Digitized by Google

or forfeiture, done, occasioned, or incurred, without the privity or knowledge of such owner or owners, shall in no case exceed the amount or value of the interest of such owner in such vessel, and her freight then pending. (R. S., 4283.)

Whenever any such embezzlement, loss, or destruction is suffered by several freighters or owners of goods, wares, merchandise, or any property whatever, on the same voyage, and the whole value of the vessel, and her freight for the voyage, is not sufficient to make compensation to each of them, they shall receive compensation from the owner of the vessel, in proportion to their respective losses; and for that purpose the freighters and owners of the property, and the owner of the vessel, or any of them, may take the appropriate proceedings in any court, for the purpose of apportioning the sum for which the owner of the vessel may be liable among the parties entitled thereto. (R. S., 4284.)

It shall be deemed a sufficient compliance on the part of such owner with the requirements of this Title [R. S., 4131–4305] relating to his liability for any embezzlement, loss, or destruction of any property, goods, or merchandise, if he shall transfer his interest in such vessel and freight, for the benefit of such claimants, to a trustee, to be appointed by any court of competent jurisdiction, to act as such trustee for the person who may prove to be legally entitled thereto; from and after which transfer all claims and proceedings against the owner shall cease. (R. S., 4285.)

The charterer of any vessel, in case he shall man, victual, and navigate such vessel at his own expense, or by his own procurement, shall be deemed the owner of such vessel within the meaning of the provisions of this Title [R. S., 4131–4305] relating to the limitation of the liability of the owners of vessels; and such vessel, when so chartered, shall be liable in the same manner as if navigated by the owner thereof. (R. S., 4286.)

Nothing in the five preceding sections shall be construed to take away or affect the remedy to which any party may be entitled, against the master, officers, or seamen, for or on account of any embezzlement, injury, loss, or destruction of merchandise, or property, put on board any vessel, or on account of any negligence, fraud, or other malversation of such master, officers, or seamen, respectively, nor

Digitized by Google

to lessen or take away any responsibility to which any master or seaman of any vessel may by law be liable, notwithstanding such master or seaman may be an owner or part owner of the vessel. (R. S., 4287.)

Any person shipping oil of vitrol, unslaked lime, inflammable matches, or gunpowder, in a vessel taking cargo for divers persons on freight, without delivering, at the time of shipment, a note in writing, expressing the nature and character of such merchandise, to the master, mate, officer, or person in charge of the lading of the vessel, shall be liable to the United States in a penalty of one thousand dollars. (R. S., 4288; June 19, 1886; sec. 4.)

The individual liability of a ship-owner shall be limited to the proportion of any or all debts and liabilities that his individual share of the vessel bears to the whole; and the aggregate liabilities of all the owners of a vessel on account of the same shall not exceed the value of such vessel and freight pending: *Provided*, That this provision shall not affect the liability of any owner incurred previous to the passage of this act, nor prevent any claimant from joining all the owners in one action; nor shall the same apply to wages due to persons employed by said ship-owners. (June 26, 1884; sec. 18.)

The provisions of the seven preceding sections, and of section eighteen of an act entitled " An act to remove certain burdens on the American merchant marine and encourage the American foreign carrying-trade, and for other purposes," approved June twenty-sixth, eighteen hundred and eighty-four, relating to the limitations of the liability of the owners of vessels, shall apply to all sea-going vessels, and also to all vessels used on lakes or rivers or in inland navigation, including canal-boats, barges, and lighters. (R. S., 4289; June 19, 1886; sec. 4.)

Act of February 13, 1893 (Harter Act).

It shall not be lawful for the manager, agent, master or owner of any vessel transporting merchandise or property from or between ports of the United States and foreign ports to insert in any bill of lading or shipping document any clause, covenant, or agreement whereby it, he, or they shall be relieved from liability for loss or damage arising from negligence, fault, or failure in proper loading, stowage, custody, care, or proper delivery of any and all lawful

Digitized by Google

merchandise or property committed to its or their charge. Any and all words or clauses of such import inserted in bills of lading or shipping receipts shall be null and void and of no effect. (Sec. 1.)

It shall not be lawful for any vessel transporting merchandise or property from or between ports of the United States of America and foreign ports, her owner, master, agent or manager to insert in any bill of lading or shipping document any covenant or agreement whereby the obligations of the owner or owners of said vessel to exercise due diligence, properly equip, man, provision, and outfit said vessel, and to make said vessel seaworthy and capable of performing her intended voyage, or whereby the obligations of the master, officers, agents, or servants to carefully handle and stow her cargo and to care for and properly deliver same, shall in any wise be lessened, weakened, or avoided. (Sec. 2.)

If the owner of any vessel transporting merchandise or property to or from any port in the United States of America shall exercise due diligence to make the said vessel in all respects seaworthy and properly manned, equipped, and supplied, neither the vessel, or owners, agent, or charterers shall become or be held responsible for damage or loss resulting from faults or errors in navigation or in the management of said vessel, nor shall the vessel, her owner or owners, charterers, agent, or master, be held liable for losses arising from dangers of the sea or other navigable waters, acts of God, or public enemies, or the inherent defect, quality, or vice of the thing carried, or from insufficiency of package, or seizure under legal process, or for loss resulting from any act or omission of the shipper or owner of the goods, his agent or representative, or from saving or attempting to save life or property at sea, or from any deviation in rendering such service. (Sec. 3.)

It shall be the duty of the owner or owners, masters, or agent of any vessel transporting merchandise or property from or between ports of the United States and foreign ports to issue to shippers of any lawful merchandise a bill of lading, or shipping document, stating, among other things, the marks necessary for identification, number of packages, or quantity, stating whether it be carrier's or shipper's weight, and apparent order or condition of such merchandise or property delivered to and received by the owner, master, or agent of the vessel for transportation, and such document shall be

Digitized by Google

prima facie evidence of the receipt of the merchandise therein described. (Sec. 4.)

For a violation of any of the provisions of this act the agent, owner, or master of the vessel guilty of such violation, and who refuses to issue on demand the bill of lading herein provided for, shall be liable to a fine not exceeding two thousand dollars. The amount of the fine and costs for such violation shall be a lien upon the vessel, whose agent, owner, or master is guilty of such violation, and such vessel may be libeled therefor in any district court of the United States, within whose jurisdiction the vessel may be found. One-half of such penalty shall go to the party injured by such violation and the remainder to the Government of the United States. (Sec. 5.)

This act shall not be held to modify or repeal sections forty-two hundred and eighty-one, forty-two hundred and eighty-two, and forty-two hundred and eighty-three of the Revised Statutes of the United States, or any other statute defining the liability of vessels, their owners, or representatives. (Sec. 6.)

Sections one and four of this act shall not apply to the transportation of live animals. (Feb. 13, 1893; sec. 7.)

General libel bond.

When a warrant of arrest or other process in rem is issued in any cause of admiralty jurisdiction, except in cases of seizures for forfeiture under any law of the United States, the marshal shall stay the execution of such process, or discharge the property arrested if the process has been levied, on receiving from the claimant of the property a bond or stipulation in double the amount claimed by the libelant, with sufficient surety, to be approved by the judge of the court where the cause is pending, or, in his absence, by the collector of the port, conditioned to answer the decree of the court in such cause. Such bond or stipulation shall be returned to the court, and judgment thereon, against both the principal and sureties, may be recovered at the time of rendering the decree in the original cause. And the owner of any vessel may cause to be executed and delivered to the marshal a bond or stipulation, with sufficient surety, to be approved by the judge of the court in which he is marshal, conditioned to answer the decree of said court in all or any cases

Digitized by Google

that shall thereafter be brought in said court against the said vessel, and thereupon the execution of all such process against said vessel shall be stayed so long as the amount secured by such bond or stipulation shall be at least double the aggregate amount claimed by the libelants in such suits which shall be begun and pending against said vessel; and like judgments and remedies may be had on said bond or stipulation as if a special bond or stipulation had been filed in each of said suits. The court may make such orders as may be necessary to carry this section into effect, and especially for the giving of proper notice of any such suit. Such bond or stipulation shall be indorsed by the clerk with a minute of the suits wherein process is so stayed, and further security may at any time be required by the court. If a special bond or stipulation in the particular cause shall be given under this section, the liability as to said cause on the general bond or stipulation shall cease. (R. S., 941; Mar. 3, 1899.)

Digitized by Google

CHAPTER VI

MISCELLANEOUS LAWS

Rescuing shipwrecked American seamen.

Expenses which may be incurred in the acknowledgment of the services of masters and crews of foreign vessels in rescuing American seamen or citizens from shipwreck, four thousand five hundred dollars. (June 30, 1914.)

School ships.

The Secretary of the Navy, to promote nautical education, is hereby authorized and empowered to furnish, upon the application in writing of the governor of a State, a suitable vessel of the navy, with all her apparel, charts, books, and instruments of navigation, provided the same can be spared without detriment to the naval service, to be used for the benefit of any nautical school, or school or college having a nautical branch, established at each of the following ports of the United States: Boston, Philadelphia, New York, Seattle, San Francisco, Baltimore, Detroit, Saginaw, Michigan, Norfolk, and Corpus Christi, upon the condition that there shall be maintained at such port a school or branch of a school for the instruction of youths in navigation, steamship-marine engineering, and all matters pertaining to the proper construction, equipment, and sailing of vessels or any particular branch thereof. (Sec. 1.)

A sum not exceeding the amount annually appropriated by any State or municipality for the purpose of maintaining such a marine school or schools or the nautical branch thereof is hereby authorized to be appropriated for the purpose of aiding in the maintenance and support of such school or schools: *Provided, however*, That appropriations shall be made for one school in any port heretofore named in section one and that the appropriation for any one year shall not exceed twenty-five thousand dollars for any one school. (Sec. 2.)

Digitized by Google

The President of the United States is hereby authorized, when in his opinion the same can be done without detriment to the public service, to detail proper officers of the navy as superintendents of or instructors in such schools: *Provided*, That if any such school shall be discontinued, or the good of the naval service shall require, such vessel shall be immediately restored to the Secretary of the Navy and the officers so detailed recalled: *And provided further*, That no person shall be sentenced to or received at such schools as a punishment or commutation of punishment for crime. (June 20, 1874; Mar. 3, 1881; Mar. 4, 1911; sec. 3.)

Navy ration.

The navy rations shall consist of the following daily allowance of provisions to each person: One pound and a quarter of salt or smoked meat, with three ounces of dried or six ounces of canned or preserved fruit, and three gills of beans or peas, or twelve ounces of flour; or one pound of preserved meat, with three ounces of dried or six ounces of canned or preserved fruit and eight ounces of rice or twelve ounces of canned vegetables, or six ounces of desiccated vegetables; together with one pound of biscuit, two ounces of butter, four ounces of sugar, two ounces of coffee or cocoa, or one-half ounce of tea and one ounce of condensed milk or evaporated cream; and a weekly allowance of one-quarter pound of macaroni, four ounces of cheese, four ounces of tomatoes, one-half pint of vinegar or sauce, one-quarter pint of pickles, one-quarter pint of molasses, four ounces of salt, one-half ounce of pepper, one-eighth ounce of spices, and one-half ounce of dry mustard. Seven pounds of lard, or a suitable substitute, shall be allowed for every hundred pounds of flour issued as bread, and such quantities of yeast and flavoring extracts as may be necessary. (R. S., 1580; July 1, 1902; June 29, 1906.)

The following substitution for the components of the ration may be made when deemed necessary by the senior officer present in command: "For one and one-quarter pounds of salt or smoked meat or one pound of preserved meat, one and three-quarter pounds of fresh meat or fresh fish, or eight eggs; in lieu of the articles usually issued with salt, smoked or preserved meat, one and three-quarter pounds of fresh vegetables; for one pound of biscuit, one and one-quarter pounds of soft bread or eighteen ounces of flour; for three gills of beans and peas, twelve ounces of flour or eight ounces of rice

Digitized by Google

or other starch food, or twelve ounces of canned vegetables; for one pound of condensed milk or evaporated cream, one quart of fresh milk; for three ounces of dried or six ounces of canned or preserved fruit, nine ounces of fresh fruit; and for twelve ounces of flour or eight ounces of rice or other starch food, or twelve ounces of canned vegetables, three gills of beans or peas; in lieu of the weekly allowance of one-quarter pound of macaroni, four ounces of cheese, one-half pint of vinegar or sauce, one-quarter pint of pickles, one-quarter pint of molasses, and one-eighth ounce of spices, three pounds of sugar, or one and a half pounds of condensed milk, or one pound of coffee, or one and a half pounds of canned fruit, or four pounds of fresh vegetables, or four pounds of flour.

"An extra allowance of one ounce of coffee or cocoa, two ounces of sugar, four ounces of hard bread or its equivalent, and four ounces of preserved meat or its equivalent shall be allowed to enlisted men of the engineer and dynamo force who stand night watches between eight o'clock postmeridian and eight o'clock antemeridian, under steam." (R. S., 1581; July 1, 1902; June 29, 1906.)

Export of arms to American countries.

Whenever the President shall find that in any American country conditions of domestic violence exist which are promoted by the use of arms or munitions of war procured from the United States, and shall make proclamation thereof, it shall be unlawful to export except under such limitations and exceptions as the President shall prescribe any arms or munitions of war from any place in the United States to such country until otherwise ordered by the President or by Congress.

Any shipment of material hereby declared unlawful after such a proclamation shall be punishable by fine not exceeding ten thousand dollars, or imprisonment not exceeding two years, or both. (Apr. 22, 1898; Mar. 14, 1912; sec. 2.)

Mines, torpedoes, and harbor defenses.

Whoever shall willfully trespass upon, injure, or destroy any of the works or property or material of any submarine mine or torpedo, or fortification or harbor-defense system owned or constructed or in process of construction by the United States, or shall willfully interfere with the operation or use of any such submarine mine, torpedo, fortification, or harbor-defense system, shall be fined not

Digitized by Google

more than five thousand dollars, or imprisoned not more than five years, or both. [See also act Mar. 4, 1909, sec. 272, p. 468.] (Mar. 4, 1909; sec. 44; Repeals act July 7, 1898.)

Sale of arms and liquors to Pacific islanders.

Whoever, being subject to the authority of the United States, shall give, sell, or otherwise supply any arms, ammunition, explosive substance, intoxicating liquor, or opium to any aboriginal native of any of the Pacific islands lying within the twentieth parallel of north latitude and the fortieth parallel of south latitude, and the one hundred and twentieth meridian of longitude west and one hundred and twentieth meridian of longitude east of Greenwich, not being in the possession or under the protection of any civilized power, shall be fined not more than fifty dollars, or imprisoned not more than three months, or both. In addition to such punishment, all articles of a similar nature to those in respect to which an offense has been committed, found in the possession of the offender, may be declared forfeited. If it shall appear to the court that such opium, wine, or spirits have been given bona fide for medical purposes, it shall be lawful for the court to dismiss the charge. (Mar. 4, 1909; sec. 308; Repeals act Feb. 14, 1902, secs. 1–2.)

All offenses against the provisions of the section last preceding, committed on any of said islands or on the waters, rocks, or keys adjacent thereto, shall be deemed committed on the high seas on board a merchant ship or vessel belonging to the United States, and the courts of the United States shall have jurisdiction accordingly. (Mar. 4, 1909; sec. 309; Repeals act Feb. 14, 1902, sec. 3.)

Exemption of private property at sea.

It is the sense of the Congress of the United States that it is desirable, in the interest of uniformity of action by the maritime states of the world in time of war, that the President endeavor to bring about an understanding among the principal maritime powers with a view of incorporating into the permanent law of civilized nations the principle of the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerents. (J. Res., Apr. 28, 1904.)

Assistance and salvage at sea.

The right to remuneration for assistance or salvage services shall

Digitized by Google

not be affected by common ownership of the vessels rendering and receiving such assistance or salvage services. (Sec. 1.)

The master or person in charge of a vessel shall, so far as he can do so without serious danger to his own vessel, crew, or passengers, render assistance to every person who is found at sea in danger of being lost; and if he fails to do so, he shall, upon conviction, be liable to a penalty of not exceeding one thousand dollars or imprisonment for a term not exceeding two years, or both. (Sec. 2.)

Salvors of human life, who have taken part in the services rendered on the occasion of the accident giving rise to salvage, are entitled to a fair share of the remuneration awarded to the salvors of the vessel, her cargo, and accessories. (Sec. 3.)

A suit for the recovery of remuneration for rendering assistance or salvage services shall not be maintainable if brought later than two years from the date when such assistance or salvage was rendered, unless the court in which the suit is brought shall be satisfied that during such period there had not been any reasonable opportunity of arresting the assisted or salved vessel within the jurisdiction of the court or within the territorial waters of the country in which the libelant resides or has his principal place of business. (Sec. 4.)

Nothing in this Act shall be construed as applying to ships of war or to Government ships appropriated exclusively to a public service. (Aug. 1, 1912; sec. 5.)

Protection against fire.

Every steamer carrying passengers or freight shall be provided with suitable pipes and valves attached to the boiler to convey steam into the hold and to the different compartments thereof to extinguish fire, or such other suitable apparatus as may be prescribed by the regulations of the board of supervising inspectors, with the approval of the Secretary of Commerce, for extinguishing fire in the hold and compartments thereof by the introduction through pipes into such hold and compartments of carbonic acid gas or other fire-extinguishing gas or vapor; and every stove used on board of any such vessel shall be well and securely fastened, so as to prevent it from being moved or overthrown, and all woodwork or other ignitible substances about the boilers, chimneys, cook houses, and stove-pipes, exposed to ignition shall be thoroughly shielded by some

Digitized by Google

incombustible material in such a manner as to leave the air to circulate freely between such material and woodwork or other ignitible substance; and before granting a certificate of inspection the inspector shall require all other necessary provisions to be made throughout such vessels to guard against loss or danger from fire. (R. S., 4470; Mar. 3, 1905; sec. 7.)

Every steamer permitted by her certificate of inspection to carry as many as fifty passengers, or upward, and every steamer carrying passengers, which also carries cotton, hay, or hemp, shall be provided with a good double-acting steam fire-pump, or other equivalent apparatus for throwing water. Such pump or other apparatus for throwing water shall be kept at all times and at all seasons of the year in good order and ready for immediate use, having at least two pipes of suitable dimensions, one on each side of the vessel, to convey the water to the upper decks, to which pipes there shall be attached, by means of stop-cocks or valves, both between decks and on the upper deck, good and suitable hose of sufficient strength to stand a pressure of not less than one hundred pounds to the square inch, long enough to reach to all parts of the vessel and properly provided with nozzles, and kept in good order and ready for immediate service. Every steamer exceeding two hundred tons burden and carrying passengers shall be provided with two good double-acting fire-pumps, to be worked by hand; each chamber of such pumps, except pumps upon steamers in service on the twenty-eighth day of February, eighteen hundred and seventy-one, shall be of sufficient capacity to contain not less than one hundred cubic inches of water; and such pumps shall be placed in the most suitable parts of the vessel for efficient service, having suitable well-fitted hose to each pump, of at least one-half the vessel in length, kept at all times in perfect order, and shipped up and ready for immediate use. On every steamer not exceeding two hundred tons, one of such pumps may be dispensed with. Each fire-pump thus prescribed shall be supplied with water by means of a suitable pipe connected therewith, and passing through the side of the vessel so low as to be at all times under water when she is afloat. Every steamer shall also be provided with a pump which shall be of sufficient strength and suitably arranged to test the boilers thereof. (R. S., 4471; June 30, 1906.)

Every steamer carrying passengers during the night-time shall keep a suitable number of watchmen in the cabins, and on each

Digitized by Google

deck, to guard against fire or other dangers, and to give alarm in case of accident or disaster. (R. S., 4477.)

For any neglect to keep the watchmen required by the preceding section, the license of the officer in charge of the vessel for the time being shall be revoked; and every owner of such vessel who neglects or refuses to furnish the number of men necessary to keep watch as required, shall be fined one thousand dollars. (R. S., 4478.)

The board of supervising inspectors may require steamers carrying either passengers or freight to be provided with such number and kind of good and efficient portable fire-extinguishers as, in the judgment of the board, may be necessary to protect them from fire when such steamers are moored or lying at a wharf without steam to work the pumps. (R. S., 4479.)

Every such steam vessel carrying passengers shall keep such fire buckets, axes, and water barrels as shall be prescribed by the regulations established by the board of supervising inspectors, with the approval of the Secretary of Commerce. The buckets and barrels shall be kept in convenient places and filled with water, to be in readiness in case of fire, and the axes shall be kept in good order and ready for immediate use. Tanks of suitable dimensions and arrangement, or buckets in sufficient number, may be substituted for barrels. (R. S., 4483; Mar. 3, 1905; sec. 3.)

Inflammable or explosive cargo.

Upon the application of any master or owner of any steam vessel employed in the carriage of passengers, for a license to carry gunpowder, the local inspectors shall examine such vessel, and if they find that she is provided with a chest or safe composed of metal, or entirely lined and sheathed therewith, or if the vessel has one or more compartments thoroughly lined and sheathed with metal, at a secure distance from any fire, they may grant a certificate to that effect, authorizing such vessel to carry as freight within such chest, safes, or compartments, the article of gunpowder, which certificate shall be kept conspicuously posted on board such vessel. (R. S., 4422; Mar. 4, 1915; Sec. 2.)

No loose hay, loose cotton, or loose hemp, camphene, nitroglycerin, naphtha, benzine, benzole, coal oil, crude or refined petroleum, or other like explosive burning fluids, or like dangerous articles,

Digitized by Google

shall be carried as freight or used as stores on any steamer carrying passengers; nor shall baled cotton or hemp be carried on such steamers unless the bales are compactly pressed and thoroughly covered and secured in such manner as shall be prescribed by the regulations established by the board of supervising inspectors with the approval of the Secretary of Commerce; nor shall gunpowder be carried on any such vessel except under special license; nor shall oil of vitrol, nitric or other chemical acids be carried on such steamers except on the decks or guards thereof or in such other safe part of the vessel as shall be prescribed by the inspectors. Refined petroleum, which will not ignite at a temperature less than one hundred and ten degrees of Fahrenheit thermometer, may be carried on board such steamers upon routes where there is no other practicable mode of transporting it, and under such regulations as shall be prescribed by the board of supervising inspectors with the approval of the Secretary of Commerce; and oil or spirits of turpentine may be carried on such steamers when put up in good metallic vessels or casks or barrels well and securely bound with iron and stowed in a secure part of the vessel; and friction matches may be carried on such steamers when securely packed in strong, tight chests or boxes, the covers of which shall be well secured by locks, screws, or other reliable fastenings, and stowed in a safe part of the vessel at a secure distance from any fire or heat. All such other provisions shall be made on every steamer carrying passengers or freight, to guard against and extinguish fire, as shall be prescribed by the board of supervising inspectors and approved by the Secretary of Commerce. Nothing in the foregoing or following sections of this Act shall prohibit the transportation by steam vessels of gasoline or any of the products of petroleum when carried by motor vehicles (commonly known as automobiles) using the same as a source of motive power: *Provided, however,* That all fire, if any, in such vehicles or automobiles be extinguished immediately after entering the said vessel, and that the same be not relighted until immediately before said vehicle shall leave the vessel: *Provided further,* That any owner, master, agent, or other person having charge of passenger steam vessels shall have the right to refuse to transport automobile vehicles the tanks of which contain gasoline, naphtha, or other dangerous burning fluids. (Mar. 3, 1905; sec. 8.)

Provided, however, That nothing in the provisions of this Title

Digitized by Google

shall prohibit the transportation by vessels not carrying passengers for hire, of gasoline or any of the products of petroleum for use as a source of motive power for the motor boats or launches of such vessels. (May 28, 1906.)

Provided further, That nothing in the foregoing or following sections of this Act shall prohibit the use, by steam vessels carrying passengers for hire, of lifeboats equipped with gasoline motors, and tanks containing gasoline for the operation of said motor-driven lifeboats: *Provided, however*, That no gasoline shall be carried other than that in the tanks of the lifeboats: *Provided further*, That the use of such lifeboats equipped with gasoline motors shall be under such regulations as shall be prescribed by the board of supervising inspectors with the approval of the Secretary of Commerce. (Jan. 24, 1913.)

Provided, however, That nothing in the foregoing or following sections of this Act shall prohibit the transportation and use by vessels carrying passengers or freight for hire of gasoline or any of the products of petroleum for the operation of engines to supply an auxiliary lighting and wireless system independent of the vessel's main power plant: *Provided further*, That the transportation or use of such gasoline or any of the products of petroleum shall be under such regulations as shall be prescribed by the Board of Supervising Inspectors, with the approval of the Secretary of Commerce. (R. S., 4472; Oct. 22, 1914.)

Every bale of cotton or hemp that shall be shipped or carried on any passenger-steamer, without conforming to the provisions of the preceding section, shall be subject to a penalty of five dollars, and shall be liable to seizure and sale to secure the payment of such penalty. (R. S., 4473.)

The Secretary of Commerce may grant permission to the owner of any steam vessel, to use any invention or process for the utilization of petroleum or other mineral oils or substances in the production of motive-power, and may make and enforce regulations concerning the application and use of the same for such purpose. But no such permission shall be granted, unless upon the certificate of the supervising inspector of steamboats for the district wherein such vessel is registered, and other satisfactory proof that the use of the same

Digitized by Google

is safe and efficient; and upon such proof, and the approval of such certificate by the Secretary of Commerce, a special license for the use of such process or invention shall issue under the seal of the Department of Commerce. (R. S., 4474; Feb. 14, 1903; sec. 10.)

The Secretary of Commerce may permit the use of petroleum as fuel on steamers not carrying passengers, without the certificate of the supervising inspector of the district where the vessel is to be used, subject to such conditions and safeguards as the Secretary of Commerce in his judgment shall provide. For a violation of any of the conditions imposed by the Secretary of Commerce a penalty of five hundred dollars shall be imposed, which penalty shall be a lien upon the vessel, but a bond may, as provided in other cases, be given to secure the satisfaction of the judgment. (Oct. 18, 1888; Feb. 14, 1903; sec. 10.)

Provided further, That when crude petroleum of a flash point not less than one hundred and fifty degrees Fahrenheit, is carried in the double-bottom fuel tanks of steamers using the same for fuel, the crude petroleum carried in such tanks in excess of the necessities of the voyage may be discharged at terminal ports when no passengers are on board the ship. Crude petroleum carried and discharged under these conditions will not be considered stores or cargo within the contemplation of section forty-four hundred and seventy-two, Revised Statutes of the United States. (R. S., 4474.)

All gunpowder, nitro-glycerine, camphene, naphtha, benzine, benzole, coal-oil, crude or refined petroleum, oil of vitriol, nitric or other chemical acids, oil or spirits of turpentine, friction-matches, and all other articles of like character, when packed or put up for shipment, shall be securely packed and put up separately from each other and from all other articles; and the package, box, cask, or other vessel containing the same shall be distinctly marked on the outside, with the name or description of the article contained therein.

It shall be unlawful to transport, carry, or convey, liquid nitroglycerin, fulminate in bulk in dry condition, or other like explosive, between a place in a foreign country and a place within or subject to the jurisdiction of the United States, or between a place in one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, and a place in any other State, Territory, or District of the United States, or place noncon-

Digitized by Google

tiguous to but subject to the jurisdiction thereof, on any vessel or vehicle of any description operated by a common carrier in the transportation of passengers or articles of commerce by land or water. (R. S., 4475.)

Every person who packs or puts up, or causes to be packed or put up for shipment, any gunpowder, nitroglycerin, camphene, naphtha, benzine, benzole, coal oil, crude or refined petroleum, oil of vitriol, nitric or other chemical acids, oil or spirits of turpentine, friction-matches, or other articles of like character otherwise than as directed by the preceding section, or who knowingly ships or attempts to ship the same, or delivers the same to any such vessels as stores unless duly packed and marked, shall be deemed guilty of a misdemeanor, and punished by a fine not exceeding two thousand dollars, or imprisonment not exceeding eighteen months, or both; one-half of the fine to go to the informer, and the articles to be liable to seizure and forfeiture. (R. S., 4476.)

Every package containing explosives or other dangerous articles when presented to a common carrier for shipment shall have plainly marked on the outside thereof the contents thereof; and it shall be unlawful for any person to deliver, or cause to be delivered, to any common carrier engaged in interstate or foreign commerce by land or water, for interstate or foreign transportation, or to carry upon any vessel or vehicle engaged in interstate or foreign transportation, any explosive, or other dangerous article, under any false or deceptive marking, description, invoice, shipping order, or other declaration, or without informing the agent of such carrier of the true character thereof, at or before the time such delivery or carriage is made. Whoever shall knowingly violate, or cause to be violated, any provision of this section, or of the three sections last preceding, or any regulation made by the Interstate Commerce Commission in pursuance thereof, shall be fined not more than two thousand dollars, or imprisoned not more than eighteen months, or both. (Mar. 4, 1909; sec. 235; Repeals R. S., 5353, 5354.)

When the death or bodily injury of any person is caused by the explosion of any article named in the four sections last preceding, while the same is being placed upon any vessel or vehicle to be transported in violation thereof, or while the same is being so transported, or while the same is being removed from such vessel or vehicle, the

Digitized by Google

person knowingly placing, or aiding or permitting the placing, of such articles upon any such vessel or vehicle, to be so transported, shall be imprisoned not more than ten years. (Sec. 236.)

It shall be unlawful to transport, carry, or convey, any dynamite, gunpowder, or other explosive, between a place in a foreign country and a place within or subject to the jurisdiction of the United States, or between a place in any State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, and a place in any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, on any vessel or vehicle of any description operated by a common carrier, which vessel or vehicle is carrying passengers for hire: *Provided*, That it shall be lawful to transport on any such vessel or vehicle small arms ammunition in any quantity, and such fuses, torpedoes, rockets, or other signal devices, as may be essential to promote safety in operation, and properly packed and marked samples of explosives for laboratory examination, not exceeding a net weight of one-half pound each, and not exceeding twenty samples at one time in a single vessel or vehicle; but such samples shall not be carried in that part of a vessel or vehicle which is intended for the transportation of passengers for hire: *Provided further*, That nothing in this section shall be construed to prevent the transportation of military or naval forces with their accompanying munitions of war on passenger equipment vessels or vehicles. (Mar. 4, 1909; Repeals R. S., 5353 and 5354; sec. 232.)

The Interstate Commerce Commission shall formulate regulations for the safe transportation of explosives, which shall be binding upon all common carriers engaged in interstate or foreign commerce which transport explosives by land. Said commission, of its own motion, or upon application made by any interested party, may make changes or modifications in such regulations, made desirable by new information or altered conditions. Such regulations shall be in accord with the best known practicable means for securing safety in transit, covering the packing, marking, loading, handling while in transit, and the precautions necessary to determine whether the material when offered is in proper condition to transport. Such regulations, as well as all changes or modifications thereof, shall take effect ninety days after their formulation and publication by

Digitized by Google

said commission and shall be in effect until reversed, set aside, or modified. (Sec. 233; Repeals R. S., 5355.)

It shall not be lawful to transport, carry, or convey, ship, deliver on board, or cause to be delivered on board, the substance or article known or designated as nitroglycerine, or glynoin oil, nitroleum or blasting oil, or nitrated oil, or powder mixed with any such oil, or fiber saturated with any such article, or substance, upon or in any vessel or vehicle used or employed in transporting passengers by land or water between a place in any foreign country and a place within the limits of any State, Territory, or district of the United States, or between a place in one State, Territory, or district of the United States, and a place in any other State, Territory, or district thereof. (R. S., 4278.)

It shall not be lawful to ship, send, or forward any quantity of the substances or articles named in the preceding section, or to transport, convey, or carry the same by a vessel or vehicle of any description, upon land or water, between a place in a foreign country and a place within the United States, or between a place in one State, Territory, or district of the United States, and a place in any other State Territory, or district thereof, unless the same shall be securely enclosed, deposited, or packed in a metallic vessel surrounded by plaster of Paris, or other material that will be non-explosive when saturated with such oil or substance, and separate from all other substances, and the outside of the package containing the same be marked, printed, or labeled in a conspicuous manner with the words "Nitro-glycerine, dangerous." (R. S., 4279.)

The two preceding sections shall not be so construed as to prevent any State, Territory, district, city, or town within the United States from regulating or from prohibiting the traffic in or transportation of those substances, between persons or places lying or being within their respective territorial limits, or from prohibiting the introduction thereof into such limits, for sale, use, or consumption therein. (R. S., 4280.)

Digitized by Google

CHAPTER VII

THE CHIEF MATE

THE Chief Officer of an ocean steamer is officially styled the Chief Mate. Also, he is often referred to simply as the Mate. In passenger liners, transports, and the like, the term Chief Officer, finds favor. But among men of the sea, the fine old sailor title " Chief Mate " prevails.

The Chief Mate has the most difficult, and in many ways, the most important position on a vessel. An energetic Chief Mate, who is also competent, makes his vessel a successful organization. He should possess the necessary knowledge and skill in his profession, combined with initiative, tact, and executive ability of a high order.

The position of Chief Mate is the test job of the sea. An indifferent junior officer can survive for years, but when he is appointed Chief Mate, he must either make good, and achieve promotion, or his faults and shortcomings overtake him and ruin his career. This is the hard screen through which the master mariners are sifted.

Next to Master. The Chief Mate is next in authority to the Master, and acts in his place during his absence. If the Master dies while the vessel is at sea, the Chief Mate assumes command, and is vested with all of the authority and responsibilities of that station, subject to the pleasure of the owners upon the arrival of the vessel in port.

He Reports for Duty. Upon receiving his appointment to a vessel as Chief Mate, it is the duty of that officer to report on board and present his credentials to the Master without delay. He should be ready to take up his duties

Digitized by Google

at once, settling all of his private affairs before going on board.

He should carry out any special orders that the Master may give.

Vessel in the Stream. If the vessel is in the stream the new Chief Mate should note the following:

1. Locate vessel on chart.

2. Verify depth of water and character of bottom.

3. How much chain out—what anchor? Is chain locked on windlass, or on riding chocks?

4. If moored, either bow or stern, inspect mooring wires; frappings; etc., see to means for slipping and hauling in.

5. Is the anchorage safe—at all times—at that season?

6. What weather—tide—current—sea, may be expected?

7. Examine windlass carefully—be certain you know how to work same at night.

8. Look to compressors—capstans—and anchor davits, if fitted.

9. Look to hand gear—that brake beams, bars, and stoppers are handy, and where located.

10. Look for fo'c'sle hose, and connection. Be ready to flush off a chain covered with mud, so there will be no delay when heaving in.

11. Look for docking telegraph—learn dial.

12. Have Deck Engineer and Carpenter inspect the windlass with you, get all the wrinkles you can about same.

13. Look for vessels near at hand. Is vessel clear of them when tide turns?

14. Is vessel loading or discharging?

15. Are lighters expected—which side—what cargo?

Digitized by Google

16. Are cork fenders and skids ready?

17. Are heaving lines handy?

18. Are lines ready for the lighters?

19. Look after gangway and side ladders.

20. Are cargo clusters in order—where kept?

21. Are riding lights in order?

22. Has anchor watch been set?

23. Is a working and life boat swung out and ready for lowering without delay?

24. If blowing, have drift lead over side, tend same, and watch bearings.

Vessel Alongside. If the vessel is alongside the new Chief Mate should note the following:

1. Look after mooring lines.

2. Are they adjusted to the rise and fall of tide?

3. Are they free from chafe?

4. Are they properly disposed—springs, breasts, bow and stern lines—this is an art. Can one watchman tend them?

5. Do they all bear an equal stress—this is important with wire hawsers.

6. If near wooden warehouses—see if a wire fire warp has been led.

7. Are the gangways safe?

8. If bow or stern projects beyond bulkhead line, are lights ready?

9. If twin-screw vessel, are propeller signs in place?

10. Is a gangway watch necessary—is it being kept?

Digitized by Google

11. Is the vessel discharging or loading—what—what holds—how near completed?

12. What is the draft—forward and aft?

13. How much water under her at low tide?

14. Is the berth fair or foul?

15. Telephone connection on dock. Number of Police, Fire, U. S. Secret Service.

16. Locate water plugs on docks.

17. Are rat guards on lines? Are they needed?

In General. 1. Ask for cargo diagrams—how kept—if loading.

2. Are the working holds under supervision—by whom?

3. When will vessel be discharged—or ready to leave?

4. Get reports from the junior officers—the boatswain and carpenter.

5. Will she work at night?

6. Are cargo clusters ready—length of cables—location of connections—are they in good order—where kept?

7. Are the fire lines clear and in working order?

8. When was last fire drill held—inspect log?

9. Inspect crew list—muster same.

10. Inspect station bill.

11. Inspect crew's quarters. Look for signs of intoxicating liquors—destroy any found.

12. Are bills of lading in order?

13. Look after cargo gear—stays—masts—booms—guys—pendants—falls—whips—gins—skids—cargo slings—cargo falls—cargo hooks—nets, winches—etc.

Digitized by Google

14. Are hatch covers, strong backs, battens, tarpaulins, wedges, etc., ready and in good order?

15. Pay special attention to the flanges on the steel strongbacks—are they true?

16. Get acquainted with the engineers and establish friendly relations—this is important.

17. Locate all sounding pipes—Have carpenter sound tanks and bilges and report.

THE WORK OF THE CHIEF MATE

Having reported for duty, and having seen to the matters outlined above—and a smart Chief Mate sees such things quickly, for he must by that time have spent more than a dog watch in the Merchant Service—the new Chief Mate can intelligently carry on the work of his vessel.

Different Vessels. Differences in construction, type, tonnage, and trade, modify the size and kind of organization on board a steamer. But in the main essentials, the work of the Chief Mate should be fairly standard—he is charged with the supervision of everything that has to do with the work of the deck department.

Crew. The Chief Mate should study his junior officers and his crew. He should at once check up the crew list; see that the living quarters on board—including coal passers, firemen, and glory hole—are in a sanitary and ship shape condition. He should see after everything having to do with the sanitary condition of the vessel. Wash rooms, water closets, showers, lockers, mess rooms, etc. All should be inspected daily.

Station Bill. The Chief Mate should see that the Station Bill is properly made out, and posted as required by law.

Inventories. The materials and tools of the deck department come under the immediate charge of the Chief Mate

Digitized by Google

who should see that all inventories are correctly kept, and that the stores list is properly posted up from time to time. The correct list of unbroken ship's stores is very important, and must be produced when the vessel enters the customs.

The following lists should be kept and checked under the supervision of the Chief Mate:

A. Mooring lines, and hawsers—wire—manila—hemp.

B. Tarpaulins—awnings—sails—dodgers—side screens — wind sails—ventilator covers—skylight covers—spare boat covers—mast covers, etc.,

C. Boatswain's stores, rope, gear, tools, etc.

D. Carpenter's stores, tools, lamps, oils, etc.

E. Paints—oils—turpentine—white lead—red lead—bitumastic—bottom composition—putty, brushes, graining tools, etc., etc.

F. Cargo gear—in use, condition, location, etc. Spare gear—condition and where stowed.

G. Ship's navigating gear (under care of Second Mate).

H. Coaling gear, condition, where stowed.

I. Life-saving equipment—boats, rafts and their complete equipment. When bread boxes were last filled—inspected, when breakers were last filled, etc. Life preservers—number—location—last inspected. Fire hose, when supplied length, and location of reels, nozzles, couplings, reducers, valves, etc. Fire extinguishers, kind—number—location—when charged last. Axes, number—location. Buckets—number—location. Smoke helmets, condition and where stowed. Extra tarpaulins.

Also ring buoys, rockets, line-throwing gun, spare lines, projectiles, powder charges—sewed in bunting bags, and stowed in proper canister. Coston lights, number—kind. Wave oil, tanks and fittings.

J. Ship's signal gear—flags—rockets—etc. (under charge of Third Mate).

Digitized by Google

DUTIES IN PORT

Having familiarized himself with his vessel, her complement, equipment, and stores, the Chief Mate is ready to take up his duties with full knowledge of the situation.

The inspection of the vessel, from stem to stern, is a matter of some time and, in a large steamer, calls for repeated investigation. Every hole and tank and corner should be known to the Chief Mate, its condition, its contents, and its use.

Deck Crew. He must organize and supervise the routine work of the deck department of the vessel.

Third Mate—forward holds, under immediate eye of Chief Mate.

Second Mate—after holds.

Boatswain, in active charge of crew at work on deck, over the side, and in holds.

Carpenter, at work about ship, under orders from the Chief Mate.

Quartermasters—gangway, bridge, and hold watches, under junior officers.

In large steamers where extra watch officers, junior officers and cadets, or sub-junior officers are carried, the Chief Mate usually has a clerk, and his work is largely that of a general manager. In such vessels the cargo, mail, baggage, specie, etc., is handled through the purser, or other officer, and the Chief Mate devotes himself strictly to the management of the seamanship end of his department.

Holds. He must supervise the preparation of holds to receive cargo.

Sweep clean.

Dunnage on stringers.

Limbers cleared—limber boards lifted.

Bilges cleaned.

Digitized by Google

Rose boxes cleared (strainers—strum boxes).

Ceiling in good condition.

Cargo battens in good condition.

Smothering lines in good condition, ends clear.

Sounding pipes not dented or bent out of shape, ends free.—Brass screw plugs in place.

'Tween deck hatch covers, strong backs, etc., in good order.

'Tween deck and hold electrical connections—in good order.

Lift tank covers.

Take-up tank manholes (engineers).

Examine cement in tanks.

See that stanchion brackets and shifting boards are ready for bulk cargoes, such as grain.

See that sufficient dunnage is in each hold; spruce planking, and chocking pieces. Find out what kind of cargo is to be stowed.

See all hold ladders in good order—rungs all secure.

Look for runs of rust, under frames and stringers, in wake of mast doublings, under winch beds, under deck in wake of shrouds.

Examine all ports and dead lights in 'tween decks.

Examine all side ports—cargo—coal.

All rust should be cleaned off and painted—red lead and pigment in linseed oil.

See all bulkhead doors tight and in working order.

Spare propeller blades, booms, anchors, hubs, etc., stowed below, should be examined as to lashings and rust. Spare shafting usually carried in shaft tunnel, under charge of Chief Engineer, if in hold, Chief Mates responsible for safety.

Look to all wire lashings *in the nips*.

Look for leaks in joints of shell plating abreast of hatches where drafts of cargo swing in against the side.

Examine masts, at doublings, at the steps.

Digitized by Google

Examine all fire lines and connections in holds and 'tween decks.

Examine rivets under bed plates of winches.

Examine framing under hatch coamings.

Examine state of pillars and stanchions.

Cargo Gear. The Chief Mate is charged with the proper use and upkeep of the cargo handling gear. This includes everything except the steam winches, and steam lines which are under the charge of the engineer department.

The Chief Mate should supervise and attend to the following—note condition and provide for proper maintenance:

Masts—and all fittings, viz.—collars—trucks—sheaves—links—shrouds—stays—and all equipment on masts, whether cargo, radio, lights, or lookout cages.

King posts—same as masts—re-cargo handling.

Booms — goosenecks—bands—links—shackles—sheaves—gins—guys—and cradles.

Examine all shrouds and stays under the nips and thimbles.

Examine all links—turnbuckles—bales—eye bolts—pins—cleats—etc., for excessive wear, or fracture.

If wind platforms are fitted see to all stanchions, struts and brasses.

When heavy purchases are to be rove, the Chief Mate should carefully supervise the preparation of the gear—preventers—lashings—etc.

See that winches are powerful enough to take the load safely.

See that booms are strong enough or are fished and reinforced where needed.

Shore up weak goosenecks.

Rig preventer guys—stays—etc.

Leave nothing to chance—use new gear—know the weight to be lifted—be sure it will clear the hatch coamings—the bulwarks—take

Digitized by Google

your time. It takes ten times as long to clear away a wreck as to make the most careful preparation for lifting a heavy weight.

Learn the way to run the winches, their construction—lifting capacity—steam pressure on lines—how to drain after working in cold weather, locate pet cocks—know when they are properly lubricated. Know as much as you can about steam and electrical deck machinery—(don't let your curiosity stop here—find out all you can about the main engines and boilers, it is interesting).

See that cargo falls come to the winch drums without chafing at the heels of booms, or other places.

Winchmen and hatch tenders are often found working their hatches with booms at the wrong angle—be ready to correct this. See that booms are properly plumbed when lifting heavy strongbacks from the guides, or when attempting to ship them. If in a roadstead, vessel feeling the swell, have guys and bull-ropes rove to steady strongbacks or other heavy weights lifted over the hatches.

Examine all pins of gin blocks, see that they are properly lubricated with plumbago.

When beginning to work cargo, either in or out, see that all slings, nets, falls, are in good order and that sufficient have been supplied. Look after chain slings carefully in person, this saves accidents—look at the hooks, see that jaws have not been opened, if so, discard.

Look after hatch boards and skids.

Working Cargo. When the vessel is working cargo, whether with crew or stevedores, the Chief Mate is in responsible charge. He is responsible for the good condition of the gear, the proper stowage of the cargo, and the lawful handling, stowage, and carriage of combustibles. He should inform himself on this point.

Whistle Signals. It is well, when working cargo, in cases where the Chief Mate takes active direction of operations, such as taking in or discharging extra heavy weights, to use a whistle signal when communicating with the winch

Digitized by Google

and hatch men. Excessive singing out and undue noise of any kind indicates raw work and lack of real seamanship.

Engages Stevedores. In many trades the Chief Mate engages the Stevedores and keeps a record of their time.

Care of Cargo. At the close of the working day the Chief Mate should see that the hatches are properly covered, the tarpaulins laid smooth and in proper number, and securely wedged, with battens, if necessary.

During the day, or at any time while the hatches are open while working cargo, or otherwise, if rain is impending, the Chief Mate should use his judgment about covering hatches in which perishable cargo is exposed. He should also keep an eye on lighters alongside, and see that the lightermen cover their cargoes in plenty of time.

Scuppers, outboard discharge pipes, as from the circulating pump, should be considered when lighters carrying perishable cargo are alongside.

It is difficult often to establish the truth in regard to claims for damaged cargo, and blame often attaches to the ship, with resulting loss to the owners. This is often the case abroad—lightermen and consignees are often of the same nationality—great care in safeguarding the interests of the owners and the shippers is necessary.

Duty to Cargo. The Chief Mate who establishes a record for the care of cargo stamps himself as a man of reliable qualities—one who is bound to gain the confidence of his superiors and owners.

Too much attention cannot be paid to this important part of the duty of a sea officer in the Merchant Service. The duty to cargo is a trust that should be impressed upon the minds of all members of the crew.

Many officers, in charge of cargo work, look upon this part of their duty as a necessary nuisance—something to be bothered with as little as possible. On the other hand,

Digitized by Google

an alert officer can prevent damage, and consequent loss to owners, amounting to more than his salary on every voyage.

The Chief Mate should so regulate the hold duty, that the junior officers can relieve each other, and get the maximum amount of liberty. In ships so conducted, officers do not mind attending to business while on duty. Where hold duty is conducted on the chain gang system—all work and no leave—the owners suffer; so does the reputation of the Chief Mate.

Pilfering of Cargo. In many trades pilfering from the cargo has become a science. Wine casks are sprung out of true and the contents made away with, hoops are knocked loose and holes are drilled. In ports where the junk boat nuisance still prevails, vessels working cargo of all kinds are the victims of wholesale thievery. This sort of thing can only be stopped by vigilant supervision on the part of the officers of the vessel. Only reliable men should be put in the holds as watchmen. Offenders who are caught should be prosecuted—not merely discharged. The broaching of cargo by the crew is a serious offense.

The loss must be made good, and the offender may be sentenced to a year in jail.

Accidents; Damage to Cargo. Accidents resulting in loss of cargo, or damage to same due to the fault of the vessel's tackle, due to rain, washing of the ship's decks, discharge through leaking scuppers, are blamable to the Chief Mate and through him to the Master and owners of the vessel.

Stowage of Cargo. When stowing or discharging cargo the Chief Mate should keep in mind the trim and stability of the vessel. When any question as to her seaworthy condition arises, he should report the fact to the Master without delay.

Freeboard. The freeboard in American steamers is fixed by rules of the underwriters. The load line should not

Digitized by Google

be submerged (except in fresh water, when the vessel is to go out in salt water. The Chief Mate should know the rule governing loading for a salt water voyage in a fresh water port).

Cargo Diagrams. In taking aboard cargo to be delivered at a number of different ports, the hold diagrams are very important. Such diagrams of cargo stowage should be prepared by the officer in charge of the holds and submitted to the Chief Mate for approval.

Invoices; Bills of Lading. The Chief Mate receipts for all consignments of cargo, when same is delivered on board in ports abroad, or where no provision is made for handling such details by the freight department of the company. In the tramp this duty is almost always placed upon the Chief Mate. He is responsible for the accuracy of his receipts, and that cargo signed for is in good condition and as represented—marks—numbers—etc., before allowing same to be stowed.

Cargoes are usually accepted or rejected by the Mate on his own responsibility.

(A case in point where sugar, in bags, was brought alongside on a lighter, all nicely stacked. Best bags on top tier. This sugar had been wet with salt water—and was rejected on inspection by "tasting" the bags of the second tier.)

Ventilation of Cargo. The Master is held responsible for the proper ventilation of cargo. This responsibility is of course delegated to the Chief Mate who personally is accountable to the Master for the careful carrying out of this requirement.

Kinds of Cargo. Cargoes are generally classified as "Measurement" and "Dead Weight" cargoes. Most cargoes are "General" or mixed. Then of course there are fluid cargoes, carried in bulk in tankers. The Chief Mate who knows his business, will have mastered the various

Digitized by Google

" kinks " that go with the stowage and discharging of many kinds of cargo.

It is only possible here to indicate, in a brief fashion, the things the Chief Mate should look after and know about.

Coal Cargo. The Chief Mate should see that stowage is not commenced until the hold has been properly prepared. See that steel masts are carefully sealed, at the heel, that there is no " up take " for gases, in the event of fire. See that every possible point of " up take " is stopped off. See that shifting boards are firmly secured. That pillars and stanchions are secure, if they have been replaced, and that the hold, if length of passage warrants, is fitted with a gas pipe, plugged at bottom end, for lowering a thermometer into the body of the cargo. Temperatures should be taken at least every watch.

Ventilation. Ventilation, on the surface of the coal, is very necessary. Two ventilators, at least, for each hold; an intake and an uptake (uptake to windward).

Wet Coal. Wet coal is dangerous—it is specially subject to spontaneous combustion.

Trimming. In loading coal cargo, where nothing else is taken, the trim of the vessel should be carefully watched by the Chief Mate, and the trimmers directed in their work so that no subsequent trimming is required after the cargo is all on board. Many kinds of coal sift down and flow easily—this should be kept in mind.

Ore Cargo. Vessels carrying ore are usually designed for that particular trade. Where ore is to be carried in the usual type of freighter, special care must be taken to fit the required trunks and shifting boards. Heavy ore carried in the lower holds is liable to make a vessel crank, and the Chief Mate should see that means are provided for the lifting up of the weights, and the proper distribution, fore

Digitized by Google

and aft. The usual plan, in a vessel with four holds, is to fill No. 2 and No. 3, and trim with No. 1 and No. 4. This keeps the cargo high amidships, and eases the vessel in a seaway.

Wooden Steamers. The shipment of ore cargoes in vessels of weak construction, should not be attempted unless the movement of the ore cannot be accomplished in any other way. The wooden steamers, built as an emergency measure, are a case in point.

The highest skill in loading, stowage and handling will be required for these vessels.

Grain Cargo. The carriage of grain cargo calls for special precautions to prevent shifting. The British Board of Trade and the underwriters have made special rules for the stowage of such cargoes. The Chief Mate should inform himself of these rules as a part of his stock of knowledge.

Cotton Cargo. The danger to fire when loading a cotton cargo is great and every precaution should be taken. Smoking, which should never be permitted in the holds or about the hatches at any time, should be specially guarded against when loading cotton.

Care should be taken that no sparks from the funnels, from passing or nearby tugboats, or from steam boilers on the wharf, find their way into the hatches. Have the fire lines connected up at all times and have the steam on the smothering lines.

Steam is the best agent for smothering a cotton fire. If a fire starts do not wet down the decks or side plating. This may get very hot, but do not play cold water on it. Strains would be set up in the plating or deck that might seriously injure it.

Keep all oil cans, oily waste, paint, paint pots or paint rags and brushes away from the cotton.

Keep all ventilator cowls closed, to prevent sparks finding their way into the cargo.

Digitized by Google

When hatches are closed down at night, or when battening down for sea, the Chief Mate should have an officer make certain that no fire is present in the holds.

All electrical conduits through the holds and 'tween decks should be carefully inspected before loading a cotton cargo.

Smoke Helmets. The smoke helmets should be handy and in order.

Frozen Cargo. Vessels carrying frozen cargo are lined and insulated in the holds prepared for this sort of stowage. All steel work should be covered, on account of the high conductivity of the metal. The insulating materials are usually granulated cork, charcoal, silicate cotton, or sawdust. Felt and cow hair is also used. Dead air, if properly confined, is an excellent insulating medium.

Care should be taken to avoid and detect fire in the insulating material, due to spontaneous combustion.

The Chief Mate should be familiar with the system of refrigeration used—cold-air—dry-air—ammonia—carbonic-anhydride—etc.

In some systems the air is chilled in the holds by piping, in others the air is drawn from the holds to a chilling chamber and pumped back with the required degree of cold.

Chilled Beef. Chilled beef is usually shipped in quarters, and must be suspended from the deck above by chains and hooks.

Frozen Mutton. Mutton is usually shipped in carcases, frozen stiff and stowed one on top of another. Being hollow, the interstices provide space for the circulation of cold air. About 15 degrees Fahrenheit should be maintained in the hold.

General Cargo. Every general cargo is a rule unto itself. The Chief Mate who knows his business will see to the

Digitized by Google

proper stowage. This is the cargo that demands care as to hold diagrams. The following points are recommended for consideration:

Keep perishable goods clear of the steel framing.

Cargo liable to leakage should be stowed low.

Cargo liable to damage from heat should be kept clear of engine-room bulkheads, steam lines, and not stowed close under upper deck when in hot weather trades.

Casks, bung up and bilge free. Stow from amidships to wings and ends of hold. Use four beds for each cask.

Casks, second tier—stow bilge and cutline.

Barrels, hogsheads, etc. (63 gals.) eight heights.

Puncheons (84 gals.) four heights.

Pipes, butts, (126 gals.) three tiers.

Always stow barrels, wet or dry, with head pieces vertical.

Stow with marks up and out.

Acids, on deck.

Oilskins, on deck.

Matches, on deck.

Hay, on deck.

Heavy, well-boxed cargo, low.

Light crates, on top.

Railroad iron, grating fashion.

Dunnage, if needed, 10 inches on floors, 15 inches in bilges.

Cargo ports, if fitted, blocked off with dunnage.

Care should be taken to stow liquors, canned goods, and things easily broken open, in parts of the hold and 'tween decks where they can be easily blocked off by less tempting cargo.

Special Cargoes. Cargoes of chemicals, fruit, guano, jute, and the like, will require special care and consideration. The

Digitized by Google

deck officers of a merchant vessel will do well if they keep and compare notes on matters such as these. A vast amount of information having to do with the important function of moving the products of the world is going begging for the want of suitable recording. Such knowledge carries with it the possibility for great saving. Merchant mariners, owners, and naval designers take notice. The cargo note book is an important part of the baggage of an officer.

Munitions. Cargoes under the general heading of munitions call for the most careful handling. It is well for the Chief Mate to know just what is being stowed, and where. This knowledge should be of use in exercising increased care in the management and handling of the vessel. The Halifax disaster is a case in point.

Cost Data. The Chief Mate who is on his job should keep cost data on stevedoring, and in fact on most operations performed on board ship. He should know how many men can work a hatch effectively, and what their pay is, and how much cargo they can stow, say in tons (2,000 lbs.) per working day:

Cost data resolves itself into this.

Amount of work done—any unit; tons of cargo—sq. ft. of paint.

Number of men—and pay:

- Hatchmen at $.00 per hour.
- Holdmen at $.00 per hour.
- Lightermen or truckers at $.00 per hour.
- Checkers—tally men at $.00 per hour.

Time required to do the work.

Kind of cargo stowed.

Port.

Remarks—weather—sea—etc.

Cost data, actually kept, often is the foundation for important work later on as superintendent and manager.

Digitized by Google

Keeping cost data is a good way to relieve the monotony of supervising stevedores—it results in a note book of considerable value.

Live Stock. Vessels carrying live stock present added problems for the consideration of the Chief Mate. He should see to the proper organization of the cattlemen, their attention to duty, etc. The Chief Mate should be familiar with the laws relating to the carriage of live stock on passenger vessels.

Horse slings should be provided for valuable animals. Other cattle taken aboard in the stream are often slung on board by the horns alone.

Valuable horses should be placed in padded boxes, placed athwartships, and same fitted with slings under the bellies of the animals.

Passengers. Passengers are usually the special care of the Purser and Steward. The Chief Mate, however, should so organize the work of the ship that there is as little interference with the passengers as possible. The Second Mate, is usually delegated as baggage officer and has charge of the stowage and breaking out of this special cargo.

Tank Steamers. Tank steamers, like everything else, are undergoing changes in design, and each vessel requires special study on the part of the officers.

The Chief Mate should be familiar with the system of piping and the handling of the same. He should study the pipe diagrams and trace out the lead and use of everything for his own information.

There are many things in tank steamers not common to the regular run of sea carriers. The hose connections, the method of trimming, the use of summer tanks, the expansion trunks, and the many wrinkles having to do with the care and management of tankers.

When going into dry dock, be sure and see that all tanks

Digitized by Google

are "gas free" before lights or red hot rivets are introduced. This is done by steaming them out, by blowing air through them, and by filling with water and pumping same out, the oil in the water, which should be overflowing, will run off first.

The officer who is going into tank steamers, or is in that service is advised to get a small pamphlet by Mr. Herbert John White, a British Merchant Marine officer, called OIL TANK STEAMERS, published by James Brown and Son, Glasgow, and for sale in New York by D. Van Nostrand Company (price $1.00). This is a very clear and practical manual for the use of tank steamer officers—one of the best books of its kind.

Digitized by Google

CHAPTER VIII

THE CHIEF MATE (Continued)

Receiving Stores. All stores delivered to the vessel should be received by the officer of the deck. The Chief Mate should provide for the proper receipt and the proper entries either in a log book or in a stores receipt book. Everything should be checked, weighed, and measured. This should be the basis for the approval of bills from supply houses, etc.

Keys. The key board of a vessel should be the direct charge of the Chief Mate, delegated, if necessary, but he should see that the keys are kept in order, properly marked, and only in the possession of those entitled to have them in charge. Receipts should be given for all keys drawn from the key board.

Master Keys. The master keys should be in the possession of the Chief Mate, and of the Master. When the Chief Mate goes ashore, the master keys should be left with the officer in charge of the ship during his absence.

The key board is a fair indication of the efficiency of a vessel.

Harbor Regulations. All harbor regulations should be observed. It is the duty of the Chief Mate to acquaint himself with these rules and see that the vessel and the crew abide by them.

Turning To. The time when men turn to and knock off, while in harbor, should be regulated by the Chief Mate, subject to companies' rules, customs, etc. It is well to abide

Digitized by Google

strictly to these rules, but when the safety of the vessel, or the necessities of work require it, extra work may be demanded by the Chief Mate.

In the point of work in port, and at sea, for that matter, working conditions are now bound up in agreements between companies and seamen's unions. Much of this is necessary and was brought about by abuses practiced upon seamen in days past.

The Chief Mate who gives his crew a right deal, and knows how to handle and take care of his men, never has any trouble in getting work done after hours. The answer is be human—also just and firm—no sailor has any use for a jelly fish officer.

Upkeep. The work in port is usually confined to washing down, cleaning up after the stevedores, preparing holds for cargo, painting over the side, painting the boot-topping when the vessel is light, and cleaning up after coaling. At this time the steering gear and steering engine should be looked after, cleaned up and overhauled.

Wooden decks should be washed down every morning, as at sea, especially if in a warm port.

Cover the ends of mooring lines, to keep out dirt and grit; stow superfluous lines below—but handy—this keeps them away from harm, **and the junk boats.**

Unscrew and stow away all brass fittings—when in ports where these things can be disposed of—in most ports where the vessel lies at an unwatched wharf.

All persons leaving the vessel with packages, and suit cases—unless officers or officials—should show contents to the gangway watch.

No one should be allowed on the bridge or bridge deck, unless there on business.

Fire Hoses, Axes, Buckets, Extinguishers, etc. The Chief Mate is charged with the care and working order of the fire-fighting equipment of the vessel.

Fire drills must be held as required by law.

Digitized by Google

Life-saving Equipment. The Chief Mate must pay special attention to the condition and readiness of the life boats, and their equipment:

Life boats.
Life rafts.
Life belts.
Ring buoys.
Water lights.
Storm-oil tanks.

He should see that the bread tins, after each inspection, are tightly screwed down, or the contents may spoil, or be unfit at the next inspection by the U. S. Steamboat Inspectors.

The list of required boat equipment is a long one and should be carefully complied with.

The rockets and line-throwing gun should be kept in good order, lines and projectiles handy; charges measured out and sewed in proper bags and kept in a copper canister.

The boat-launching equipment must be kept in perfect working condition, davits, strongbacks, gripes and falls. The required tubs must be provided and the boat falls coiled in them, clear for running.

The Chief Mate must organize and carry out the required drills.

After all drills—see everything secured—hoses dried out, extinguishers recharged—if used, axes, life belts, ring buoys, life preservers, etc. stowed.

Ground Tackle. The Chief Mate is charged with the good order and upkeep of the ground tackle.

He should look after:

Anchors.

Chain.

Riding chocks.

Digitized by Google

Shackles.

Pins.

Forelocks.

Markings (by turns of wire on studs), paint shackles white, as an aid in noting run of chain at night.

Chain compressors.

Stoppers.

Chain should be ranged when in dry dock, if time permits, and locker cleaned out and painted. See that ends of the chains are lashed at the *top* of the chain locker.

The kedges and stream anchors should be where they can be got at. See that the necessary gear for getting them out is ready and stowed handy for use.

The windlass is in charge of the engineers. The Chief Mate should understand its working, and the Carpenter should also understand it in every detail.

See that the hand gear is in order and can be worked by the crew. It is a good plan to try this out when opportunity offers. When the emergency comes there is little time to drill.

When Coming to Anchor, or Heaving In. The Chief Mate takes his station on the f'c'sle head. He is in charge of the ground tackle.

Anchoring.

Report when anchors are ready to let go.

When anchor has been let go, report chain out as the shackles come through the hawse. When the anchor is down, report chain out. Trend of chain, etc.

Heaving in.

Report, " Short Stay."

Report the shackles as they come to the water.

Report " Anchor aweigh."

Report " Anchor in sight "—" clear," or " foul anchor."

Report anchor secured.

Report both anchors ready for letting go.

Digitized by Google

A smart Chief Mate manages his work on the f'c'sle head without any unnecessary singing out. In large ships the telegraph or whistle, or hand signals are used between the Master on the bridge and the Chief Mate.

The " trend " of the chain, when heaving in, should be indicated to the bridge by direction of the hand. If heaving in in a tide way, this information is important, and the engines are used to assist in breaking out, while the vessel is given a proper sheer with the helm.

Coming Alongside. As in coming to anchor, the Chief Mate's station is on the forecastle head. He directs the handling of the vessel's forward lines, the operation of the capstans, etc.

The Carpenter, Boatswain, and about half of the deck crew should be assigned to this end of the vessel.

See all side ports closed or clear above string piece: Boats swung in if necessary, etc.

The Chief Mate carries out lines, and handles the warps and springs as directed by the Master, from the bridge. As little calling out of orders as possible should be indulged in. Where both Mate and Master understand their business, the coming alongside is a mere matter of detail and works without a hitch. Where tugs are used, the Chief Mate should direct the taking of lines, but the tugs receive their instructions direct from the bridge.

Study of tide, wind, and local conditions, as well as knowledge of the vessel herself, aid in smoothness in the performance of this evolution.

Have handy, heaving lines, cork fenders, and if necessary have a running boat and crew ready to carry out the lines to the wharf. Send men on the wharf rather than trust to help from casual loiterers.

When Alongside. When alongside, see proper spring lines led so that vessel can be shifted fore and aft as may be necessary in the working of the cargo.

Digitized by Google

The proper mooring of the vessel is in charge of the Chief Mate. He should satisfy himself that she is safe, that the lines are disposed in the best possible way, free from chafe, and that the vessel will lie without binding when at high water.

Rat Guards. Where necessary, see that rat guards are placed on all lines without delay.

In making fast, the Chief Mate should inform himself of the best position of the ship for unloading or loading. The location of the doors, if the wharf is covered, with respect to the hatches. The location of chutes, water plugs, etc.

If lighters are to come in between the vessel and the wharf, means should be at hand for breasting off, and for providing a gangway during this operation.

The Chief Mate must plan ahead, think of what is needed, and provide for it. He must keep such problems to himself and not bother the Master.

Overhang of the vessel's bow or stern at the off-shore end of a wharf or pier should be considered; lights provided, fenders handy, and extra breasts, and bow or stern lines led for safety.

Coaling. The operation of coaling differs greatly in different ports and in different vessels. The handling of the vessel and the rigging and care of the coaling gear is a part of the duty of the deck department and is under the supervision of the Chief Mate. In ports where gangways are led to the wharf, or stages swung over side and the coal passed up in baskets, or carried up by the shore gang, the problem is simple.

In ports like Coronel, Chile, where vessels lie in the stream and hoist the coal up in canvas slings, considerable care should be given to the gear and the leads to the deck winches.

Coaling ship is a partnership affair, and harmonious working between the deck and engineers is essential.

Digitized by Google

Where the vessel lies under chutes, the trimming and supervision of same is up to the black squad, and a great deal of trouble is saved if this is done carefully. Where necessary see that spars or camels are ranged alongside to give the vessel the required distance from the chutes—this applies to small steamers with comparatively narrow beam.

Watch the mooring lines when coaling under the chutes—take in the slack as necessary.

Entering Dry Dock. When a vessel is about to enter a dry dock the heads of the various departments should be notified in time, and should be informed of the probable length of stay in the dock.

Also notify U. S. Local Inspectors that vessel will go in dock and bottom can be examined.

All refuse should be put ashore, and provision made for taking care of any that may accumulate while on the dock.

See that necessary lines, fenders, ladders, etc., are handy.

Prepare to do the work that is necessary on board ship, and best done while the vessel is dry, viz.,

Paint scuppers; hose reels.
Range cables on floor of dock, overhaul same.
Clean and paint or bitumastic the chain lockers.
Have windlass overhauled.
Paint funnels; cargo booms, king posts, etc.
Paint and overhaul boats.

As the crew of a merchantman is not any too large, only work that can be thoroughly done while in dock should be attempted.

Blue Prints. The blue prints of the docking plan should be delivered to the dock master. All assistance should be rendered to the dock master, and his instructions carefully complied with.

If entering a graving dock, men will be needed to handle the wale shores.

Digitized by Google

If entering a floating dock the vessel will rest squarely upon her bottom.

Straight stemmed vessels can best be placed on an absolutely level keel by swinging a hand lead over the stem; the Chief Mate should see to this.

All closets, drains, and drip pipes should be shut off.

When the dock is dry the Chief Mate should make a careful inspection of the bottom. If it is intended to drain the tanks; double bottoms, peaks, etc., the carpenter should remove the necessary plugs. As soon as the draining is completed these should be replaced and the Chief Mate should see that they have been replaced properly by personal inspection. He should see that the plugs are not wooden plugs—this has been done.

While the vessel is in dry dock, aside from any extraordinary repairs that may be made, the following matters should be looked after:

Bottom cleaned and examined.

Note fouling and state of previous coatings, and when last applied.

Note corrosion and damage.

Outboard valves should be examined and reground when necessary.

Rudder pintles and gudgeons should be carefully examined. Rudder lifted, and repairs made if necessary.

Stuffing boxes and valves of the rudder should be repacked.

Look for corrosion along the butts of shell plating. Look for corroded rivets; such rivets should be removed and new ones driven.

Look after all zincs at the stern frames, valve openings, and at the propellers.

Examine struts, propeller shafting, brackets, etc.

Painting. It is essential that the bottom be dry before applying the anti-fouling paints. It should also be clean

Digitized by Google

and the paint should be well stirred before being taken in the individual buckets of the painters.

All metal but the zincs and the bronze propellers should be covered.

Waterline. The waterline should be properly struck; nothing looks worse—except perhaps a camouflaged tramp—than a vessel with a slovenly line to her boot top.

The correct and neat painting of the draft numerals on stem and stern should be seen to.

Docking Notes. It is well for the Chief Mate to keep "docking notes," these will come in very handy later on.

Seeing a vessel out of water is vastly different from merely inspecting her blue prints.

If Vessel Has Grounded. If the vessel has grounded before going on the dock, the greatest care should be taken in her inspection.

The bottom should be "sighted"; the cement on the tank bottoms and in the bilges should be examined for cracks.

The dock master should be consulted before weights of any kind are shifted while the vessel is on the blocks.

Duties of Chief Mate at Sea. The duties of the Chief Mate, while the vessel is at sea, depend upon the size and organization of the ship. If a large vessel, he does not stand a bridge watch, but devotes his entire time to the management of the deck department of the vessel. He is on duty all the time, but turns in at night, much the same as the Master.

In most vessels the Chief Mate stands a watch, usually the four to eight. This enables him to oversee things from the bridge, which he should never leave, and it gives him some time after breakfast to look over the vessel and outline the work of the boatswain.

The duties of the watch, the navigation, and lookout,

Digitized by Google

are much the same for all officers, and will be dealt with under the chapter on the Officer of the Watch.

At sea the routine of keeping the vessel clean, of attending to the upkeep of hull and gear, and of looking after the ventilation of the cargo, is largely a matter of the particular trade in which she is engaged.

A vessel jumping from port to port, with her booms up and down twice a week, presents a different problem from the vessel that keeps at sea a week or two at a time. The weather, the kind of cargo, the fact that passengers are carried or not, all tend to modify and direct the progress of work on board.

Before the Panama Canal was built, cargo vessels trading from the Atlantic Coast to the West Coast and the Hawaiian Islands, carried out a routine at sea as comfortable and settled as that of a sailing ship. Weather and time were in their favor and the maximum amount of painting and overhauling of gear could be attended to between ports.

So far as duty, aside from keeping watch is concerned, the Chief Mate should look after the following:

Have temperature of holds taken twice a day—coal cargo every watch.

Arrange for inspection and ventilation as weather permits.

Carry on all work with as little interference as possible, when passengers are on board.

Take into consideration the weather, when about to start painting. Always clean all surfaces before applying paint.

See a daily washdown of all wooden decks.

Keep all canvas dodgers and screens scrupulously white.

Under him the boatswain carries on the work as outlined.

Boat drills, fire drill, etc., are carried out under his direction while at sea and duly entered in the log.

The Chief Mate should see that all necessary assistance is given to the officer of the watch—when he stands days duty—in matters

Digitized by Google

of taking soundings, turning ventilators, setting and taking in awnings, heaving the deep sea lead, etc. Where the Chief Mate stands his watch, the watch officer on duty during a day watch is technically in full charge, and gives his orders direct.

Cooperation. The Chief Mate should manage his department so that he will obtain the cooperation of the heads of all other departments in the vessel, Chief Engineer, Purser, Doctor, Chief Steward, all should be in harmony. A thorough understanding of the work and needs of these officers helps toward the smooth working of a ship.

Conclusion. From the foregoing, it will be seen that the Chief Mate who attends to his duty in every detail is a very busy officer. It will also be noted that he is not called upon to handle the hose while washing down (I have seen this done), to juggle paint brushes, or sew a seam.

The Chief Mate must first of all be a sailor—he must know how—his orders can only be successfully enforced when backed up by the knowledge and experience that tell him when things are going right or wrong.

The dignity and power of command come to the sea officer who is fully competent and alive to the high responsibilities of his calling. Much of his duty can be delegated—its responsibility, however, always rests with him.

The Chief Mate who respects his billet, who respects the work and the rights of those under him, and who makes them respect the ship and himself, in turn, may well feel satisfied. He has something concrete, something definite, and worth while; he has his vessel to be proud of, and to reflect credit upon himself and his service. Such an officer is a gentlemen in the finest sense of the word—with all of his duties, and they are many—he will find time to cultivate ideals and expand his soul.

The prize of command will soon be his, and then he can look forward to years of satisfying service as Master.

Digitized by Google

CHAPTER IX

RULES OF THE U. S. SUPERVISING INSPECTORS RELATING TO LIFESAVING

CAPACITY OF LIFE BOATS

The capacity of lifeboats shall hereafter be determined by an allowance of 15 cubic feet for each person carried.

Equipment for lifeboats.

All lifeboats on ocean steam vessels shall be equipped as follows:

A properly secured life line the entire length on each side, festooned in bights not longer than 3 feet, with a seine float in each bight.

One painter of manila rope of not less than 2¾ inches in circumference and of suitable length.

A full complement of oars and two spare oars.

One set and a half of thole pins or rowlocks attached to the boat with separate chains.

One steering oar with rowlock or becket and one rudder with tiller or yoke and yoke lines.

One boat hook attached to a staff of suitable length.

Two life preservers.

Two hatchets.

One galvanized-iron bucket with lanyard attached.

One bailer.

Where automatic plugs are not provided there shall be two plugs secured with chains for each drain hole.

One efficient liquid compass with not less than a 2-inch card.

One lantern containing sufficient oil to burn at least nine hours and ready for immediate use.

One can containing one gallon of illuminating oil.

Digitized by Google

One box of friction-matches wrapped in a waterproof package and carried in a box secured to the underside of the stern thwart.

A wooden breaker or suitable tank fitted with a siphon, pump, or spigot for drawing water, and containing at least 1 quart of water for each person.

Two enameled drinking cups.

A water-tight receptacle containing 2 pounds avoirdupois of provisions for each person. These provisions may be hard bread or United States Army ration. The receptacle shall be of metal, fitted with an opening in the top not less than 5 inches in diameter, properly protected by a screw cap made of heavy cast brass, with machine thread and an attached double toggle, seating to a pliable rubber gasket, which shall insure a tight joint, in order to properly protect the contents of the can.

One canvas bag containing sailmaker's palm and needles, sail twine, marline, and marline spike.

A water-tight metal case containing 12 self-igniting red lights capable of burning at least two minutes.

A sea anchor.

A vessel containing 1 gallon of vegetable or animal oil, so constructed that the oil can be easily distributed on the water and so arranged that it can be attached to the sea anchor.

In addition to the equipment already required in lifeboats, there shall be provided a hand pump with a plunger of not less than 2 inches in diameter, and a discharge pipe of sufficient length to reach clear of the boat's side.

Steam vessels carrying passengers and which enter the War Zone shall have each and every lifeboat which is carried under davits equipped with mast and sail and proper gear for same, as required by this section.

Food or provisions to be carried in lifeboats.

The food or provisions required to be carried in lifeboats may be hard bread or the " United States Army Emergency Ration." Food which produces unusual or immoderate thirst, such as corned beef, salt fish, etc., will not be allowed, under any circumstances, as lifeboat provisions.

When hard bread only is carried in the lifeboat, there must be provided in addition thereto at least ten United States Army emergency rations.

Digitized by Google

How lifeboats shall be carried.

Lifeboats on cargo steamers shall be provided with a separate set of davits for each lifeboat required. When this requirement makes it necessary to install additional davits, it is recommended that the additional davits be of the mechanical type, to facilitate quick and safe launching. The old type of davits with "turning out gear" is not considered as mechanical davits.

Additional life-saving equipment.

Cargo vessels shall carry sufficient lifeboats to accommodate every person on board, and in addition thereto shall carry a sufficient number of approved life rafts to accommodate at least twenty-five per cent of the total number of persons on board.

Precautionary measures.

Before entering the War Zone all the lifeboats and life rafts shall be cleared away and made ready for launching, and the master or officer in charge, shall assure himself that all the required equipment is in the lifeboats and life rafts, in good order, and ready for immediate service. Steamers which are not equipped with mechanical davits shall have all the lifeboats swung out (weather permitting) and ready for immediate launching before entering the War Zone.

Future construction.

Cargo vessels contracted for after May 1, 1917, and serving trades within the War Zone, shall be equipped on each side with lifeboats of sufficient capacity to accommodate all persons on board based upon an allowance of 15 cubic feet per person, and in addition thereto shall be equipped with a sufficient number of approved life rafts to accommodate at least twenty-five per cent of all persons on board.

Handling of the boats and rafts.

All the boats and rafts must be stowed in such a way that they can be launched in the shortest possible time and that, even under unfavorable conditions of list and trim from the point of view of the handling of the boats and rafts, it may be possible to embark in them as large a number of persons as possible.

The arrangements must be such that it may be possible to launch on either side of the vessel as large a number of boats and rafts as possible.

Digitized by Google

Strength and operation of the davits

The davits shall be of such strength that the boats can be lowered with their full complement of persons and equipment, the vessel being assumed to have a list of 15 degrees.

The davits must be fitted with a gear of sufficient power to insure that the boat can be turned out against the maximum list under which the lowering of the boats is possible on the vessel in question.

The Secretary of Commerce is authorized by the seamen's act in specific cases to exempt existing vessels from the requirements of this section that the davits shall be of such strength and shall be fitted with a gear of sufficient power to insure that the boats can be lowered with their full complement of persons and equipment, the vessel being assumed to have a list of 15 degrees, where their strict application would not be practicable or reasonable.

Each set of davits shall have a boat of the first class attached to it, provided that the number of open boats of the first class attached to davits shall not be less than the minimum number fixed by law.

If it is neither practicable nor reasonable to place on a vessel the minimum number of sets of davits required, a small number of sets of davits may be fitted, provided always that this number shall never be less than the minimum number of open boats of the first class required by law.

If a large proportion of the persons on board are accommodated in boats whose length is greater than 50 feet, a further reduction in the number of sets of davits may be allowed exceptionally, if the arrangements are in all respects satisfactory.

In all cases in which a reduction in the minimum number of sets of davits or other equivalent appliances required by the rules is allowed, the owner of the vessel in question shall be required to prove, by a test made in the presence of an officer designated by the Supervising Inspector General, that all the boats can be efficiently launched in a minimum time.

The conditions of this test shall be as follows:

First. The vessel is to be upright and in smooth water.

Second. The time is the time required from the beginning of the removal of the boat covers, or any other operation necessary to prepare the boats for lowering, until the last boat or pontoon raft is afloat.

Digitized by Google

Third. The number of men employed in the whole operation must not exceed the total number of boat hands that will be carried on the vessel under normal service conditions.

Fourth. Each boat when being lowered must have on board at least two men and its full equipment as required by the rules.

Fifth. The time allowed for this test shall not exceed 10 minutes.

2 Lifeboats swung out—1 on each side.

All passenger steam vessels, except those fitted with mechanical davits, shall, when the weather permits, have one of their lifeboats swung out on each side while at sea, brailed into a boom or rail and ready for immediate use.

Equivalents for and weight of the persons.

In test for determining the number of persons which a boat or pontoon raft can accommodate each person shall be assumed to be an adult person wearing a life preserver.

In verifications of freeboard the pontoon boats shall be loaded with a weight of at least 165 pounds for each adult person that the pontoon boat is authorized to carry.

In all cases two children under 12 years of age shall be reckoned as one person.

Marking of lifeboats.

All lifeboats shall have the number of boat plainly marked or painted on each bow, in figures not less than 3 inches high. Where lifeboats are carried on both sides of a vessel, lifeboat No. 1 shall be forward on starboard side of vessel, lifeboat No. 2 forward on port side, lifeboat No. 3 next abaft lifeboat No. 1 on starboard side, lifeboat No. 4 next abaft lifeboat No. 2 on port side, and so forth, the odd-numbered boats being on the starboard side and the even-numbered boats being on the port side of vessel. All lifeboats shall have their cubic contents and the number of persons such lifeboat is allowed to carry plainly marked or painted on each bow in letters and figures not less than three-fourths of an inch high. All lifeboats shall also have the number of persons allowed to be carried plainly marked or painted on top of at least two of the thwarts, in letters and figures not less than 3 inches high. When the letters and figures above required are painted on lifeboats, such letters and figures shall be dark on a light ground or light on a dark ground.

Digitized by Google

Lifeboats and life rafts kept clear for launching.

The decks on which lifeboats of any class or life rafts are carried shall be kept clear of freight or any other obstruction that would interfere with the immediate launching of the lifeboats or life rafts. (R. S. Secs. 4405, 4488.)

Boat-davit falls and receptacles therefor.

It shall be the duty of the master or officer in charge of all vessels to see that the boat-davit falls shall at all times be in readiness for immediate use, and protected from ice, and not painted, and such boat-davit falls on all boats not swung out at boat drills shall be cast loose and overhauled; and it shall be unlawful to stow in any lifeboat articles other than those required by law and regulations. On all steamers over 1,000 gross tons, covered tubs, boxes, or reels shall be provided in which to stow away the boat-davit falls.

Care of lifeboats.

Lifeboats shall be stripped, cleaned, thoroughly overhauled, and painted at least once in every year.

Embarkation of the passengers in the lifeboats and rafts.

Suitable arrangements shall be made for embarking the passengers in the boats, in accord with regulations by the Board of Supervising Inspectors, with the approval of the Secretary of Commerce.

In vessels which carry rafts there shall be a number of rope or wooden ladders always available for use in embarking the persons on to the rafts.

Certificated lifeboat men—manning of the boats.

There shall be for each boat or raft a number of lifeboat men at least equal to that specified as follows: If the boat or raft carries 25 persons or less, the minimum number of certificated lifeboat men shall be 1; if the boat or raft carries 26 persons and less than 41 persons, the minimum number of certificated lifeboat men shall be 2; if the boat or raft carries 41 persons and less than 61 persons, the minimum number of certificated lifeboat men shall be 3; if the boat or raft carries from 61 to 85 persons, the minimum number of certificated lifeboat men shall be 4; if the boat or raft carries from 86 to 110 persons, the minimum number of certificated lifeboat men

Digitized by Google

shall be 5; if the boat or raft carries from 111 to 160 persons, the minimum number of certificated lifeboat men shall be 6; if the boat or raft carries from 161 to 210 persons, the minimum number of certificated lifeboat men shall be 7; and, thereafter, 1 additional certificated lifeboat man for each additional 50 persons: *Provided*, That if the raft carries 15 persons or less a licensed officer or able seaman need not be placed in charge of such raft: *Provided further*, That one-half the number of rafts carried shall have a capacity of exceeding 15 persons.

The allocation of the certificated lifeboat men to each boat and raft remains within the discretion of the master, according to the circumstances.

By " certificated lifeboat man " is meant any member of the crew who holds a certificate of efficiency issued under the authority of the Secretary of Commerce.

In order to obtain the special lifeboat man's certificate the applicant must prove to the satisfaction of an officer designated by the Secretary of Commerce that he has been trained in all the operations connected with launching lifeboats and the use of oars; that he is acquainted with the practical handling of the boats themselves; and, further, that he is capable of understanding and answering the orders relative to lifeboat service.

Manning of boats.

A licensed officer or able seaman shall be placed in charge of each boat or pontoon raft; he shall have a list of its lifeboat men, and other members of its crew which shall be sufficient for her safe management, and shall see that the men placed under his orders are acquainted with their several duties and stations.

A man capable of working the motor shall be assigned to each motor boat.

The duty of seeing that the boats, pontoon rafts, and other lifesaving appliances are at all times ready for use shall be assigned to one or more officers.

LIFE RAFTS

Handling of the rafts.

All rafts must be stowed in such a way that they can be launched in the shortest possible time and that, even under unfavorable conditions of list and trim from the point of view of the handling

Digitized by Google

of the rafts, it may be possible to embark in them as large a number of persons as possible.

The arrangements must be such that it may be possible to launch on either side of the vessel as large a number of rafts as possible.

Marking rafts.

There shall be stenciled in a conspicuous place on each life raft now in use the number of persons said raft can carry, as hereinafter provided.

Care of life rafts.

All life rafts shall be stripped, cleaned, painted, and thoroughly overhauled at least once in every year.

Equipment for life rafts.

All life rafts on ocean steam vessels shall be equipped as follows:

A properly secured life line entirely around the sides and ends of the raft, festooned to the gunwales in bights not longer than 3 feet with a seine float in each bight.

One painter of manila rope of $2\frac{3}{4}$ inches in circumference, and of suitable length.

Four oars.

Five rowlocks properly attached.

One boat hook attached to a staff of suitable length.

One self-igniting life-buoy light.

One sea anchor.

A vessel containing 1 gallon of vegetable or animal oil, so constructed that the oil can be easily distributed on the water, and so arranged that it can be attached to the sea anchor.

A water-tight receptacle containing 2 pounds avoirdupois of provisions for each person. These provisions may be hard bread or United States Army ration. The receptacle shall be of metal and fitted with an opening in the top not less than 5 inches in diameter, properly protected by a screw cap made of heavy cast brass, with machine thread and an attached double toggle, seating to a pliable rubber gasket, which shall insure a tight joint, in order to properly protect the contents of the can.

A water-tight receptacle containing 1 quart of water for each person.

Digitized by Google

Two enameled drinking cups.

A water-tight metal case containing six self-igniting red lights capable of burning at least two minutes.

A water-tight box of matches.

All loose equipment must be securely attached to the raft to which it belongs.

Life preservers.

Every ocean vessel inspected under the provisions of Title LII, Revised Statutes of the United States, shall be provided with one good life preserver, having the approval of the Board of Supervising Inspectors, for each and every person carried, and every ocean vessel carrying passengers shall have in addition thereto a number of life preservers suitable for children equal to at least 10 per cent of the total number of persons carried.

Ring life buoys.

The number of ring life buoys with which steamers must be provided is as follows: Vessels under 400 feet in length, 12, of which 6 must be luminous; vessels of 400 feet in length and less than 600 feet, 18, of which 9 must be luminous; vessels of 600 feet in length and less than 800 feet, 24, of which 12 must be luminous; vessels of 800 feet in length and over, 30, of which 15 must be luminous.

Ring life buoys shall not be permanently secured in any way, but shall be so placed as to be readily accessible in an emergency. Their location shall be plainly indicated in the vessel's station bill.

One of the buoys on each side of the vessel shall have a life line attached of at least 15 fathoms in length.

Luminous buoys are those having attached an efficient self-igniting light which can not be extinguished in water.

All the life buoys and life jackets shall be so placed as to be readily accessible to the persons on board; their position shall be plainly indicated so as to be known to the persons concerned.

The life buoys shall always be capable of being rapidly cast loose, and shall not be permanently secured in any way. The owner of any vessel who neglects or refuses to provide and equip his vessel with such lifeboats, floats, rafts, life preservers, line-carrying projectiles, and the means of propelling them, drags, pumps, or other

Digitized by Google

appliances, as are required under the provisions of this section, or under the regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce, authorized by and made pursuant hereto, shall be fined not less than $500, nor more than $5,000, and every master of a vessel who shall fail to comply with the requirements of this section, and the regulations of the Board of Supervising Inspectors, approved by the Secretary of Commerce, authorized by and made pursuant hereto, shall upon conviction be fined not less than $50, nor more than $500.

Line-carrying guns, rockets and equipment.

All ocean steam, pleasure vessels and ocean steam vessels carrying passengers, except vessels of 150 gross tons and under, shall be provided with at least three line-carrying projectiles and the means of propelling them, such as may have received the formal approval of the Board of Supervising Inspectors.

Rockets.

When approved *rockets* are used instead of guns, there shall be in every case at least three of said rockets, and all steamers that are required under the law to carry line-carrying projectiles and the means of propelling them shall be supplied auxiliary thereto with at least 800 feet of 3-inch manila line for vessels of over 150 and not over 500 gross tons and 1,500 feet of said line for steamers above 500 gross tons; and, except where approved rockets are provided, with three approved service projectile lines and three projectiles. Such auxiliary line and all other equipment shall be kept always ready for use in connection with the gun and rocket, which lines and other equipment shall not be used for any other purpose. (R. S., 4488.)

Requirements for firing tests.

The test rounds required shall be fired from the gun when mounted on its own carriage, lashed as it would be in shipboard use.

The line shall be coiled, faked, or reeled in its own faking box or reel, and the gun, carriage, line box or reel, and projectiles shall all bear the same number and shall be initialed by the inspector, whose report of the test, giving number, date, and result, shall be filed in the office of the supervising inspector of the district in which the test is made.

Digitized by Google

Service lines and projectiles.

Service projectile lines hereafter approved shall be similar in size to that used by the United States Coast Guard, of not less than 1,700 feet in length, and capable of withstanding a breaking strain of 500 pounds, and the projectile end shall be so protected that line will not burn when fired from the gun.

The projectiles required to be furnished with each gun shall weigh not less than 18 pounds, smoothly turned and finished, with a windage of not more than one sixty-fourth of an inch.

Drill required with line-carrying gun.

The master of every vessel equipped with a line-carrying gun shall drill his crew in the use thereof and fire said gun at least once in every three months, using one-half the usual charge of powder and any ordinary line of proper length.

It shall be the duty of the inspectors, at the annual inspection, to see that these drills are entered on the log of the vessels.

Placard containing instructions for use of gun and rocket apparatus.

A placard containing instructions for using the gun and rocket apparatus required by the foregoing section and as practiced by the United States Coast Guard shall be posted in the pilot house, engine room, and in the seamen's, firemen's, and steward's department of every steam vessel required by law to carry such gun or rocket apparatus. (R. S., 4405.)

Storm oil.

On and after January 1, 1915, ocean vessels of more than 200 gross tons propelled by machinery and navigating the oceans or gulfs shall carry a supply of oil for the purpose of smoothing the sea or quelling the force of the waves in case of emergency or necessity in the following quantities:

Vessels of over 200 and not over 1,000 gross tons, 30 gallons.

Vessels of over 1,000 and not over 3,000 gross tons, 40 gallons.

Vessels of over 3,000 and not over 5,000 gross tons, 50 gallons.

Vessels of over 5,000 gross tons shall carry at least 100 gallons.

This oil shall be accessible and available at all times, and the location of the supply and the means and methods of its distribution shall be determined by the master of the vessel.

Digitized by Google

Steamer's name on equipments.

All the equipments of a steamer, such as buckets, hose, axes, boats, oars, rafts, life preservers, floats, barrels, and tanks, shall be painted or branded with the name of the steamer upon which they are used. (R. S., 4405.)

Muster roll and drills.

Special duties for the event of an emergency shall be allotted to each member of the crew.

The muster list shows all these special duties, and indicates, in particular, the station to which each man must go, and the duties that he has to perform.

Before the vessel sails the muster list shall be drawn up and exhibited, and the proper authority, to be designated by the Secretary of Commerce, shall be satisfied that the muster list has been prepared for the vessel. It shall be posted in several parts of the vessel, and in particular in the crew's quarters.

Muster list.

The muster list shall assign duties to the different members of the crew in connection with—

(*a*) The closing of the water-tight doors, valves, and so forth.

(*b*) The equipment of boats and rafts generally.

(*c*) The launching of the boats attached to davits.

(*d*) The general preparation of the other boats and the pontoon rafts.

(*e*) The muster of the passengers.

(*f*) The extinction of fire.

The muster list shall assign to the members of the stewards' department their several duties in relation to the passengers at a time of emergency. These duties shall include—

(*a*) Warning the passengers.

(*b*) Seeing that they are dressed and have put on their life jackets in a proper manner.

(*c*) Assembling the passengers.

(*d*) Keeping order in the passages and on the stairways, and, generally, controlling the movements of the passengers.

The muster list shall specify definite alarm signals for calling all the crew to the boat and fire stations, and shall give full particulars of these signals.

Digitized by Google

Musters and drills.

Musters of the crews at their boat and fire stations, followed by boat and fire drills, respectively, shall be held at least once a week, either in port or at sea. An entry shall be made in the official log book of these drills, or of the reason why they could not be held.

Different groups of boats shall be used in turn at successive boat drills. The drills and inspections shall be so arranged that the crew thoroughly understand and are practiced in the duties they have to perform, and that all the boats and pontoon rafts on the ship with the gear appertaining to them are always ready for immediate use.

Stairways and deck room.

Every such steam-vessel carrying passengers on the main-deck shall be provided with permanent stairways and other sufficient means, convenient to the passengers, for their escape to their upper deck, in case of the vessel sinking or of other accident endangering life; and in the stowage of freight upon such deck, where passengers are carried, gangways or passages, sufficiently large to allow persons to pass freely through them, shall be left open both fore and aft of the vessel, and also to and along the guards on each side. (R. S. 4484.)

The captain or mate of every such steam-vessel carrying passengers upon the main-deck shall assign to all deck-passengers, when taking passage, the space on deck they may occupy during the voyage, and such space shall not thereafter be occupied by freight nor overcrowded by other persons, nor shall freight be stowed about the boilers or machinery, in such a manner as to obstruct or prevent the engineer from readily attending to his duties. (R. S., 4485.)

For every violation of the provisions of the two preceding sections the owners of the vessel shall be punished by a fine of three hundred dollars. (R. S., 4486.)

Digitized by Google

CHAPTER X

PASSENGER ACT OF 1882

THE laws governing the carriage of passengers, explosives, live stock, etc., on vessels of the American Merchant Marine are as follows:

Accommodations.
Light and air.
Provisions.
Medical attendance.
Discipline and cleanliness.
Privacy of passengers.
Explosives; cattle.
Boarding vessel; pasenger list.
Death of passenger.
Inspection.
Penalties.

Accommodations.

It shall not be lawful for the master of any vessel whereon steerage passengers have been taken at any port or place in a foreign country or dominion (ports and places in foreign territory contiguous to the United States excepted) to bring such vessel and passengers to or take from any port or place in the United States unless the compartments, spaces, and accommodations hereinafter mentioned have been provided, allotted, maintained, and used for and by such passengers during the entire voyage, unobstructed by cargo, stores, or goods. The master of a vessel coming to a port or place in the United States in violation of any of the provisions of this section shall be deemed guilty of a misdemeanor; and if the number of steerage passengers carried or brought in the vessel, or in any compartment, space, poop, or deck house thereof, is greater than the number allowed to be carried or brought therein, respectively, as hereinafter prescribed, the said master shall be fined fifty dollars for each and every such passenger in excess of the proper number, and may also be imprisoned not exceeding six months.

First. In computing the number of passengers carried or brought in any vessel, children under one year of age shall not be included,

Digitized by Google

and two children between one and eight years of age shall be counted as one passenger; and any person brought in such vessel who shall have been, during the voyage, taken from any other vessel wrecked or in distress on the high seas, or have been picked up at sea from any boat, raft, or otherwise, shall not be included in such computation.

Second. The expression "steerage passenger" means all passengers except cabin passengers, and persons shall not be deemed cabin passengers unless the space allotted to their exclusive use is in the proportion of at least thirty-six clear superficial feet to each passenger.

Third. The expression "lowest passenger deck" means the deck next below the water line; and the expression "passenger deck" includes every deck or portion of a deck which is above the lowest passenger deck, and is appropriated for passengers.

Fourth. A vessel shall not carry passengers, whether cabin or steerage passengers, on more than one deck below the water line.

Fifth. The height between that part of any deck on which steerage passengers are carried and the deck immediately above it shall not be less than six feet.

Sixth. No steerage passengers shall be carried on the lowest passenger deck unless it is efficiently lighted by side scuttles and otherwise to the satisfaction of the inspector.

Seventh. No greater number of steerage passengers shall be carried on the lowest passenger deck than in the proportion of one steerage passenger to every twenty-one clear superficial feet allotted to their use. If, however, the height between the lowest passenger deck and the deck immediately above it is less than seven feet, and the apertures, exclusive of side scuttles, through which light and air are admitted are less in size than in the proportion of three square feet to every one hundred superficial feet of that deck, no greater number of steerage passengers shall be carried on that deck than in the proportion of one steerage passenger to every thirty clear superficial feet thereof, subject to the allowance for measurement of public rooms, lavatories, and bath rooms, if any, provided for by paragraph ten.

Eighth. No greater number of steerage passengers may be carried on a passenger deck than in the proportion of one steerage passenger to every eighteen clear superficial feet of deck allotted to their use, subject to the allowance for measurement of public rooms, lavatories, and bath rooms, if any, provided for by paragraph ten. If, however,

Digitized by Google

the height between any passenger deck and the deck immediately above it be less than seven feet, no greater number of steerage passengers may be carried on that deck than in the proportion of one steerage passenger to every twenty-one clear superficial feet thereof, subject to the allowance for measurement of public rooms, lavatories, and bath rooms, if any, provided for by paragraph ten.

Ninth. A vessel, whatever be the superficial space of the passenger decks and of the lowest passenger deck, shall not carry a greater number of steerage passengers on the whole than in the proportion of one steerage passenger to every five superficial feet of air or promenade space provided on a deck so open as not to be included in the tonnage and approved by the inspector, and this space shall not be counted or included in the area available for any other passengers, or in other areas for steerage passengers prescribed by this section.

Tenth. In the measurement of the passenger decks and of the lowest passenger deck, the space occupied by that part of the personal baggage of the steerage passengers which the inspector permits to be carried there shall be included, and also on whatever deck located, commodious and suitable dining rooms, lounging rooms, smoking rooms, lavatories, toilet rooms, and bath rooms: *Provided*, That—

(*a*) The space in any place appropriated to the use of steerage passengers in which they sleep shall not be less than eighteen superficial feet in the case of the lowest passenger deck and fifteen superficial feet in the case of a passenger deck.

(*b*) Each space so included in the measurement must be clearly marked to the satisfaction of the inspector as being exclusively appropriated for the use of the steerage passengers.

Eleventh. Each separate compartment in which steerage passengers are berthed shall be conspicuously marked, showing the total area of such compartments. (Aug. 2, 1882; Dec. 19, 1908.)

In every such steamship or other vessel there shall be a sufficient number of berths for the proper accommodation as hereinafter provided, of all such passengers. There shall not be on any deck nor in any compartment or space occupied by such passengers more than two tiers of berths. The berths shall be properly constructed, and be separated from each other by partitions, as berths ordinarily are separated, and each berth shall be at least two feet in width and six feet in length; and the interval between the floor or lowest part of

Digitized by Google

the lower tier of berths and the deck beneath them shall not be less than six inches, nor the interval between each tier of berths, and the interval between the uppermost tier and the deck above it, less than two feet six inches; and each berth shall be occupied by not more than one passenger over eight years of age; but double berths of twice the above-mentioned width may be provided, each double berth to be occupied by no more and by none other than two women, or by one woman and two children under the age of eight years, or by husband and wife, or by a man and two of his own children under the age of eight years, or by two men personally acquainted with each other. All the male passengers upwards of fourteen years of age who do not occupy berths with their wives shall be berthed in the fore part of the vessel, in a compartment divided off from the space or spaces appropriated to the other passengers by a substantial and well-secured bulkhead; and unmarried female passengers shall be berthed in a compartment separated from the spaces occupied by other passengers by a substantial and well-constructed bulkhead, the opening or communication from which to an adjoining passenger space shall be so constructed that it can be closed and secured. Families, however, shall not be separated except with their consent. Each berth shall be numbered serially, on the outside berth-board, according to the number of passengers that may lawfully occupy the berth; and the berths occupied by such passengers shall not be removed or taken down until the expiration of twelve hours from the time of entry, unless previously inspected within a shorter period. For any violation of either of the provisions of this section the master of the vessel shall be liable to a fine of five dollars for each pssenger carried or brought on the vessel. (Aug. 2, 1882; sec. 2.)

Light and air.

Every such steamship or other vessel shall have adequate provisions for affording light and air to the passenger-decks and to the compartments and spaces occupied by such passengers, and with adequate means and appliances for ventilating the said compartments and spaces. To compartments having sufficient space for fifty or more of such passengers at least two ventilators, each not less than twelve inches in diameter, shall be provided, one of which ventilators shall be inserted in the forward part of the compartment, and the other in the after part thereof, and shall be so constructed as to

Digitized by Google

ventilate the compartment; and additional ventilators shall be provided for each compartment in the proportion of two ventilators for each additional fifty of such passengers carried or brought in the compartment. All ventilators shall be carried at least six feet above the uppermost deck of the vessel, and shall be of the most approved form and construction. In any steamship the ventilating apparatus provided, or any method of ventilation adopted thereon, which has been approved by the proper emigration officers at the port or place from which said vessel was cleared, shall be deemed a compliance with the foregoing provisions; and in all vessels carrying or bringing such passengers there shall be properly-constructed hatchways over the compartments or spaces occupied by such passengers, which hatchway shall be properly covered with houses or booby hatches, and the coamings or sills of which shall rise at least six inches above the deck; and there shall be proper companion-ways or ladders from each hatchway leading to the compartments or spaces occupied by such passengers; and the said companion-ways or ladders shall be securely constructed, and be provided with hand-rails or strong rope, and, when the weather will permit, such passengers shall have the use of each hatchway situated over the compartments or spaces appropriated to their use; and every vessel carrying or bringing such passengers shall have a properly located and constructed caboose and cooking-range, or other cooking apparatus, the dimensions and capacity of which shall be sufficient to provide for properly cooking and preparing the food of all such passengers. In every vessel carrying or bringing such passengers there shall be at least two water-closets or privies, and an additional water-closet or privy for every one hundred male passengers on board, for the exclusive use of such male passengers, and an additional water-closet or privy for every fifty female passengers on board, for the exclusive use of the female passengers and young children on board. The aforesaid water-closets and privies shall be properly enclosed and located on each side of the vessel, and shall be separated from passengers' spaces by substantial and properly-constructed partitions or bulkheads; and the water-closets and privies shall be kept and maintained in a serviceable and cleanly condition throughout the voyage. For any violation of either of the provisions of this section, or for any neglect to conform to the requirements thereof, the master of the vessel shall be liable to a penalty not exceeding two hundred and fifty dollars. (Sec. 3.)

Digitized by Google

Provisions.

An allowance of good, wholesome, and proper food, with a reasonable quantity of fresh provisions, which food shall be equal in value to one and a half navy rations of the United States, and of fresh water, not less than four quarts per day, shall be furnished each of such passengers. Three meals shall be served daily, at regular and stated hours, of which hours sufficient notice shall be given. If any such passengers shall at any time during the voyage be put on short allowance for food and water, the master of the vessel shall pay to each passenger three dollars for each and every day the passenger may have been put on short allowance, except in case of accidents, where the captain is obliged to put the passengers on short allowance. Mothers with infants and young children shall be furnished the necessary quantity of wholesome milk or condensed milk for the sustenance of the latter. Tables and seats shall be provided for the use of passengers at regular meals. And for every willful violation of any of the provisions of this section the master of the vessel shall be deemed guilty of a misdemeanor and shall be fined not more than five hundred dollars, and be imprisoned for a term not exceeding six months. The enforcement of this penalty, however, shall not affect the civil responsibility of the master and owners of the vessel to such passengers as may have suffered from any negligence, breach of contract, or default on the part of such masters and owners. (Sec. 4.)

Medical attendance.

In every such steamship or other vessel there shall be properly built and secured, or divided off from other spaces, two compartments or spaces to be used exclusively as hospitals for such passengers, one for men and the other for women. The hospitals shall be located in a space not below the deck next below the main deck of the vessel. The hospital spaces shall in no case be less than in the proportion of eighteen clear superficial feet for every fifty such passengers who are carried or brought on the vessel, and such hospitals shall be supplied with proper beds, bedding, and utensils, and be kept so supplied throughout the voyage. And every steamship or other vessel carrying or bringing emigrant passengers, or passengers other than cabin passengers, exceeding fifty in number, shall carry a duly qualified and competent surgeon or medical practitioner, who shall be rated as such in the ship's articles, and who shall be provided with

Digitized by Google

surgical instruments, medical comforts, and medicines proper and necessary for diseases and accidents incident to sea-voyages, and for the proper medical treatment of such passengers during the voyage, and with such articles of food and nourishment as may be proper and necessary for preserving the health of infants and young children; and the services of such surgeon or medical practitioner shall be promptly given, in any case of sickness or disease, to any of the passengers, or to any infant or young child of any such passengers, who may need his services. For a violation of either of the provisions of this section the master of the vessel shall be liable to a penalty not exceeding two hundred and fifty dollars. (Sec. 5.)

Discipline and cleanliness.

The master of every such steamship or other vessel is authorized to maintain good discipline and such habits of cleanliness among such passengers as will tend to the preservation and promotion of health, and to that end he shall cause such regulations as he may adopt for such purpose to be posted up on board the vessel, in a place or places accessible to such passengers, and shall keep the same so posted up during the voyage. The said master shall cause the compartments and spaces provided for, or occupied by, such passengers to be kept at all times in a clean and healthy condition, and to be, as often as may be necessary, disinfected with chloride of lime, or by some other equally efficient disinfectant. Whenever the state of the weather will permit, such passengers and their bedding shall be mustered on deck, and a clear and sufficient space on the main or any upper deck of the vessel shall be set apart, and so kept, for the use and exercise of such passengers during the voyage. For each neglect or violation of any of the provisions of this section the master of the vessel shall be liable to a penalty not exceeding two hundred and fifty dollars. (Sec. 6.)

Privacy of passengers.

Neither the officers, seamen, nor other persons employed on any such steamship or other vessel shall visit or frequent any part of the vessel provided or assigned to the use of such passengers, except by the direction or permission of the master of such vessel first made or given for such purpose; and every officer, seaman, or other person employed on board of such vessel who shall violate the provisions

Digitized by Google

of this section shall be deemed guilty of a misdemeanor, and may be fined not exceeding one hundred dollars, and be imprisoned not exceeding twenty days, for each violation; and the master of such vessel who directs or permits any officer, seaman, or other person employed on board the vessel to visit or frequent any part of the vessel provided for or assigned to the use of such passengers, or the compartments or spaces occupied by such passengers, except for the purpose of doing or performing some necessary act or duty as an officer, seaman, or other person employed on board of the vessel, shall be deemed guilty of a misdemeanor, and may be fined not more than one hundred dollars for each time he directs or permits the provisions of this section to be violated. A copy of this section, written or printed in the language or principal languages of the passengers on board, shall, by or under the direction of the master of the vessel, be posted in a conspicuous place on the forecastle and in the several parts of the vessel provided and assigned for the use of such passengers, and in each compartment or space occupied by such passengers, and the same shall be kept so posted during the voyage; and if the said master neglects so to do, he shall be deemed guilty of a misdemeanor, and shall be fined not more than one hundred dollars. (Sec. 7.)

Explosives; cattle.

It shall not be lawful to take, carry, or have on board of any such steamship or other vessel any nitro-glycerine, dynamite, or any other explosive article or compound, nor any vitriol or like acids, nor gunpowder, except for the ship's use, nor any article or number of articles, whether as a cargo or ballast, which, by reason of the nature or quantity or mode of storage thereof, shall, either singly or collectively, be likely to endanger the health or lives of the passengers or the safety of the vessel, and horses, cattle, or other animals taken on board of or brought in any such vessel shall not be carried on any deck below the deck on which passengers are berthed, nor in any compartment in which passengers are berthed, nor in any adjoining compartment except in a vessel built of iron, and of which the compartments are divided off by water-tight bulkheads extending to the upper deck. For every violation of any of the provisions of this section the master of the vessel shall be deemed guilty of a misdemeanor, and shall be fined not exceeding one thousand dollars, and be imprisoned for a period not exceeding one year. (Sec. 8.)

Digitized by Google

Boarding vessel; passenger list.

It shall not be lawful for the master of any such steamship or other vessel, not in distress, after the arrival of the vessel within any collection district of the United States, to allow any person or persons except a pilot, officer of the customs, or health officer, agents of the vessel, and consuls, to come on board of the vessel, or to leave the vessel, until the vessel has been taken in charge by an officer of the customs, nor, after charge so taken, without leave of such officer, until all the passengers, with their baggage, have been duly landed from the vessel; and on the arrival of any such steamship or other vessel within any collection district of the United States, the master shall submit for inspection to the officer of customs who first makes demand therefor, and shall subsequently deliver with his manifest of cargo on entry, a correct list, signed and verified on oath by the master, of all passengers taken on board the vessel at any foreign port or place, specifying, in the manner to be prescribed from time to time by the Secretary of Commerce, the name of each passenger, age (if a child of eight years or under), sex, married or single, location of compartment or space occupied during the voyage (if the passenger be other than a cabin passenger), whether a citizen of the United States, number of pieces of baggage, and if any passenger die on the voyage the list shall specify the name, age, and cause of death of each deceased passenger. For a violation of either of the provisions of this section, or for permitting or neglecting to prevent a violation thereof, the master of the vessel shall be liable to a fine not exceeding one thousand dollars. (Feb. 9, 1905; sec. 9.)

The Secretary of Commerce is hereby authorized and directed to prescribe from time to time and enforce regulations governing the boarding of vessels arriving at the seaports of the United States, before such vessels have been properly inspected and placed in security, and for that purpose to employ any of the officers of that Department. (Mar. 31, 1900; Feb. 14, 1903; sec. 10.)

Each person violating such regulations shall be subject to a penalty of not more than one hundred dollars or imprisonment not to exceed six months, or both, in the discretion of the court. (Mar. 31, 1900; sec. 2.)

This Act shall be construed as supplementary to section nine of chapter three hundred and seventy-four of the Statutes of eighteen

Digitized by Google

hundred and eighty-two, and section forty-six hundred and six of the Revised Statutes. (sec. 3.)

Each and every collector of customs to whom shall be delivered the manifests or lists of passengers prescribed by the twelfth section of the act aforesaid, approved March third, eithteen hundred and fifty-five, shall make returns from such manifests or lists of passengers to the Secretary of Commerce of the United States, in such manner as shall be prescribed by that officer, under whose direction statements of the same shall be prepared and published. (May. 7, 1874; Feb. 14, 1903; sec. 10.)

Death of passenger.

In case there shall have occurred on board any such steamship or other vessel any death among such passengers during the voyage, the master or consignees of the vessel shall, within forty-eight hours after the arrival of the vessel within a collection district of the United States, or within twenty-four hours after the entry of the vessel, pay to the collector of customs of such district the sum of ten dollars for each and every such passenger above the age of eight years who shall have died on the voyage by natural disease; and the master or consignees of any vessel who neglect or refuse to pay such collector, within the times hereinbefore prescribed, the sums of money aforesaid, shall be liable to a penalty of fifty dollars in addition to the sum required to be paid as aforesaid for each passenger whose death occurred on the voyage. All sums of money paid to any collector under the provisions of this section shall be by him paid into the Treasury of the United States in such manner and under such regulations as shall be prescribed by the Secretary of the Treasury. (Aug. 2, 1882; sec. 10.)

Inspection.

The collector of customs of the collection district within which, or the surveyor of the port at which, any such steamship or other vessel arrives, shall direct an inspector or other officer of the customs to make an examination of the vessel, and to admeasure the compartments or spaces occupied by the emigrant passengers, or passengers other than cabin passengers, during the voyage; and such measurement shall be made in the manner provided by law for admeasuring vessels for tonnage; and to compare the number of such passengers

Digitized by Google

found on board with the list of such passengers furnished by the master to the customs officer; and the said inspector or other officer shall make a report to the aforesaid collector or surveyor, stating the port of departure, the time of sailing, the length of the voyage, the ventilation, the number of such passengers on board the vessel, and their native country, respectively; the cubic quantity of each compartment or space, and the number of berths and passengers in each space, the kind and quality of the food furnished to such passengers on the voyage; the number of deaths, and the age and sex of those who died during the voyage, and of what disease; and in case there was any unusual sickness or mortality during the voyage, to report whether the same was caused by any neglect or violation of the provisions of this act, or by the want of proper care against disease by the master or owners of the vessel; and the said reports shall be forwarded to the Secretary of Commerce at such times and in such manner as he shall direct. (Feb. 14, 1903; sec. 10.)

Penalties.

The provisions of this act shall apply to every steamship or other vessel whereon emigrant passengers, or passengers other than cabin passengers are taken on board at a port or place in the United States for conveyance to any port or place in a foreign country except foreign territory contiguous to the United States, and shall also apply to any vessel whereon such passengers are taken on board at any port or place of the United States on the Atlantic Ocean or its tributaries for conveyance to a port or place on the Pacific Ocean or its tributaries, or vice versa; and whether the voyage of said vessel is to be continuous from port to port or such passengers are to be conveyed from port to port in part by the way of any overland route through Mexico or Central America; and the said collector of customs may direct an examination of the vessel to be made by an inspector or other officer of the customs, who shall make the examination and report whether the provisions of this act have been complied with in respect to such vessel, and the said collector is authorized to withhold the clearance of such vessel until the coming in of such report; and if the said report shall show that any of the provisions of this act have not been complied with, the collector is authorized and directed to withhold the clearance of such vessel until the said provisions are complied with; and if any such vessel leaves the aforesaid port or place without having been duly cleared

Digitized by Google

by the collector of customs, the master shall be deemed guilty of a misdemeanor, and may be fined not exceeding one thousand dollars, and be imprisoned not exceeding one year, and the vessel shall be liable to seizure and forfeiture. (Aug. 2, 1882; sec. 12.)

The amount of the several fines and penalties imposed by any section of this act upon the master of any steamship or other vessel carrying or bringing emigrant passengers, or passengers other than cabin passengers, for any violation of the provisions of this act, shall be liens upon such vessel, and such vessel may be libeled therefor in any district court of the United States where such vessel shall arrive or depart. (Sec. 13.)

Carriage of passengers.

The inspectors shall state in every certificate of inspection granted to steamers carrying passengers, other than ferry-boats, the number of passengers of each class that any such steamer has accommodations for, and can carry with prudence and safety. (R. S., 4464).

It shall not be lawful to take on board of any steamer a greater number of passengers than is stated in the certificate of inspection; and for every violation of this provision the master or owner shall be liable, to any person suing for the same, to forfeit the amount of passage-money and ten dollars for each passenger beyond the number allowed. (R. S., 4465.)

Every steam vessel licensed under the foregoing section shall carry and have on board, in accessible places, one life-preserver for every person allowed to be carried, in addition to those provided for the crew of such vessel. (July 9, 1886; sec. 2.)

Digitized by Google

CHAPTER XI

THE SECOND MATE

Watches. The Second Mate of an ocean steamer is always a watch officer, that is, he is in responsible charge of a watch at sea, and where the Chief, Second, and Third Mates, stand the watches, his watch is generally taken from Noon until 4 P.M., and from Midnight to 4 A.M., or he stands the afternoon and the mid watches.

Hold Duty. The Second Mate is in charge of the after holds. His duties, under the Chief Mate, are those outlined in the duties and responsibilities of that officer. The Second Mate is the understudy of the Chief Mate and should diligently prepare himself to take up the work of that position. The Second Mate who is fortunate enough to be shipmates with a top-notch first officer, should improve every opportunity to study his superior and to perfect himself in the difficult duty of the station next ahead.

Coming Alongside. In coming alongside, coming to anchor, docking, etc., the Second Mate is in charge aft.

He should note the clearance of the propellers, and should promptly report by voice or telegraph, or by messenger, when anything in his end of the ship requires the attention of the Master on the bridge.

A quartermaster, with semaphore flags, is a handy means of communicating with the bridge while docking. Red and white lights are sometimes used while docking at night.

Digitized by Google

The station aft is in many respects the most important in the vessel while coming along side, and intelligent handling of the lines and men soon stamps an officer as well qualified in his profession.

He should use judgment in sending ashore, or "heaving," small lines, as the attempt to put a heaving line across too great a distance often results in dangerous delays, and leads to confusion.

He should see the cork fenders handy, with men told off to handle them. He should study the men assigned to his end of the ship and place only reliable men at the capstans and bits. A man who can properly "surge" a seven-inch line, under heavy strain is a rarity these days.

He should understand, and have men ready, for the throwing in and operating of the hand-steering gear in case of emergency.

Cargo Gear. The after cargo gear, is generally under the charge of the Second Mate, and he is in charge of the opening and closing of the after cargo hatches.

Baggage. The Second Mate is generally in charge of the handling and care of heavy baggage, in vessels in the passenger trade. This is important duty, and calls for care and dispatch. Such baggage is whipped ashore as fast as possible so that the customs inspectors are not delayed.

Mail. The Second Mate is also charged with the handling and stowage of the mail sacks—unless in a very large liner where special mail clerks attend to this duty.

Navigating Officer. The Second Mate is sometimes designated the "Navigating Officer," that is, he is charged with the special care of the navigating equipment. Corrects charts from the "Notices to Mariners" and assists the Master generally in the navigating duty. He may be

Digitized by Google

required to wind the chronometers each morning at eight bells and report them wound to the Master, though when standing the mid watch, this duty is usually attended to by the Master himself, who, in the Merchant Service is the responsible navigating officer of his vessel.

The Second Mate corrects the ship's clocks for difference of Longitude to noon.

However, the naming of the Second Mate, as navigating officer has much to commend it. He then has special duties, and is charged with the complete supervision of the compasses, sounding machines, instruments, lead lines, patent logs and log lines. He should perfect himself in the science of navigation and master the simple (and to many) mysterious principles of compass adjustment. He should be in charge of the deviation log and prepare the deviation tables for each loading and voyage.

Digitized by Google

CHAPTER XII

THE THIRD MATE

Watches. The Third Mate of an ocean steamer is generally a watch officer. If the vessel is of any size, and the three mates stand watch, the watch from eight to noon and from eight to midnight, is usually assigned to the Third Mate. This is one of the best watches, and the watch during which the Master is most likely to be up and about. As the junior watch officer is the least experienced, it is best that he have the Master close at hand in the event of anything unusual occurring.

Hold Duty. The Third Mate is generally given charge of the forward holds, under the immediate supervision of the Chief Mate. Here his duties are those outlined in the chapter headed Chief Mate. He is directly under the mate and should use every effort to familiarize himself with his duties and with the vessel. He should carry out all orders to the letter, and aim to perfect himself in the many branches of seamanship and navigation. The duty to cargo, and the hold duty is one of his most important charges.

Coming Alongside. When coming alongside, or to anchor, or when docking, the Third Mate is stationed on the bridge with the Master. He usually attends to the telegraph, cons the quartermaster at the wheel and looks out for the work on the bridge generally. This post is one of special importance for the young officer as he gets, from close observation, a splendid opportunity to observe and learn the details of ship handling. He sees the mistakes made

Digitized by Google

fore and aft, in the handling of lines, etc., and can, if he will, profit by this experience.

Gangway. The Third Mate is usually charged with the getting in and out of the gangway, and with the safe embarkation of passengers. He must keep order, and note who comes on board, and what their business is while the vessel is being permanently secured or anchored, and before the regular gangway watch is set.

Signal Officer. While the duty is not generally assigned, it is a good plan to designate the Third Mate as "Signal Officer." This charges him with the care and use of the signal flags and other apparatus, and he should perfect himself in their rapid and accurate use.

The Third Mate should master the hand semaphore signals and should see that at least two of the quartermasters are adept at this form of communication. Such knowledge is of the greatest use when in convoy with men-of-war, and can be made use of in a hundred different ways while lying at anchor, or when communicating with other vessels or the shore. So many seamen are now familiar with the semaphore alphabet that it has become one of the handiest means of talking at sea over moderate distances, and its use at once stamps a vessel as being up to time.

He should also know the Morse Code and be able to send and read by the blinker or Morse lamp.

This is used in convoy work instead of wireless.

Bridge. The bridge, and the duties of the quartermasters on the bridge and bridge deck, are generally delegated to the Third Mate, or to any officer who may be junior to him. This means general upkeep and order. A well-regulated and well-kept up bridge is a joy—the reverse is all too common.

Digitized by Google

CHAPTER XIII

THE JUNIOR OFFICERS

MOST vessels now carry one or more junior officers, young men who have some sea experience and who have prepared themselves to a certain extent in navigation. Many of them come on board ship with a very hazy idea as to what it is all about. They are willing enough, but don't know where to begin. They would be glad to tail onto the starboard main t'gallant buntline, but don't know just where it is.

For such as these, the following random **Things to Do** and to learn about are suggested:

Do the things you are told to do, then—

1. Find our what quartermasters are doing.

2. Look after hand leads and lines, are they marked correctly—accurately?

3. See that log is ready for streaming, as soon as past the light ship, or other mark.

4. Find switch for running lights—are they in order?

5. Look up log book, see how it is kept, and if up to date.

6. See that note book on the bridge is handy.

7. See if the clock in the wheel house, and chart room is correct.

8. Work up the chronometer error.

9. See that the bridge dodgers are properly bent, and are clean.

10. See that the binoculars and telescopes on the bridge are in their proper places and are clean.

Digitized by Google

11. Find out where the Coston lights are kept.

12. Find out what are red and what are blue lights, how many on board?

13. See that the binnacle lights are in working order.

14. See that the automatic fog whistle control works; how often does it blow when set—is it according to law?

15. See if the whistle works, don't pull it unless the Chief Mate or the Master says so.

16. Try out the engine room telegraph—the docking telegraph—after notifying the Chief that you intend doing so and on order of the Mate or Master.

17. Find out what kind of signals are used between the crow's nest and the bridge. The fo'c'sle head and the bridge.

18. Find out if the crow's nest lookout uses glasses—what kind—where kept.

19. Find out what sort of sounding machine is used—how it works—what kind of tubes are used—where the depth scale is kept—where the tubes are kept. Look at the "leads" see if they are "armed," see if there is plenty of "arming" handy. What kind—soap or tallow?

20. Overhaul the bridge chests—signal—navigating—put them in better order than you found them.

21. Look after the patent log—the lines—the rotators.

22. Become familiar with the entire bridge. Know the use of everything on it.

23. How are the compasses adjusted? Rectangular magnets, or single magnet?

24. Has the ship a Flinder's bar? Where is it? What is it? Why?

25. What are the quadrantal correctors? What do they correct?

26. Where are the distress rockets? Are they fastened to their sticks? Where are the sticks? When are they used? How?

Digitized by Google

27. Where is the line-throwing gun? How is it used? Where is the projectile? Where is the line? What kind of line is it? Why?

28. How many lifeboats are on board. How many rafts? How many ring buoys? How many life preservers? Why?

29. What is the required equipment of a lifeboat? See if all of this is in the lifeboat to which you are assigned on the station bill.

30. What is the equipment of a life raft? How is it stowed? How launched?

31. What is your station, at abandon ship? Who is in your boat? What do they look like? Take a look at the crew assigned to your boat—know them.

32. What kind of davits are used?

33. What kind of releasing gear is used?

34. Are the gripes easily cast off? Are the falls clear? Are they in tubs, as required by law?

35. What are your duties in case of fire? In case of fire in the holds, to cargo. Find out about this.

36. If the wharf caught fire, and everyone was ashore, that is, all the officers, but yourself. What would you do? Think over it.

37. Where do the seamen live, the firemen, the stewards? Where is the "glory hole"?

38. What are the duties of the boatswain?

39. What are the duties of the carpenter?

40. What are the duties of the quartermasters?

41. Learn the details of the complete economy of the vessels. How the crew and passengers are fed, where they mess, where stores are kept?

42. Learn the routine in your department. Why are things done as they are?

Digitized by Google

43. What is the ship's draft? How is it recorded?

44. Where are the sounding pipes? Look up the framed sectional blue print of the vessel that ought to be framed in the chart room.

45. What is the tons per inch scale?

46. What is the displacement of the vessel?

47. Learn her complete dimensions.
Length between perpendiculars.
Length over all.
Depth of hold.
Moulded depth.
Beam.
Freeboard, allowed by underwriters (draft).
Gross tonnage.
Net tonnage.
Horse-power.
Speed.
Coal consumption.
Her most economical speed, and tons per day.
Her hold capacity. Holds and 'tween decks.
Her tank capacity.
Her bunker capacity.
Her engines. I.H.P. type.
Her boilers, number, type.
Her wireless. Range.

48. What is the vessel's signal number?

49. What is her hailing port?

50. What is her rating, when given?

51. When built? By whom? Kind of construction?

52. Look up old log books if available. Speed under different kinds of weather conditions.

53. Has she bilge keels?

54. What kind of propellers, or propeller? Material? Pitch? Right handed or left? How will it send the vessel's head—going ahead—backing?

Digitized by Google

55. Learn everything you can about her construction, and equipment.

56. What is her draft when light—holds empty? What is her stability when in this condition? Is her propeller out of water in that condition? How much? What is her light displacement? How can you determine her stability—by means of shifting weights on deck?

57. How many cubic feet to a ton of bunker coal?

58. How many pounds to a cubic foot of sea water? Fresh water?

59. How do you figure the cubic capacity of a lifeboat? How many cubic feet allowed per person?

60. What is the strength of a new six-inch manila line? Of a five-inch wire hawser?

61. What is the tensile strength of mild steel? Of cast iron? The compressive strength?

62. Can you figure out the safe load for a steel boom under given conditions? Shell and stiffining given, supports and angle given? Safety factor 5.

63. Become familiar with the fittings of the holds. Go in, look around and study out the plan of construction and use.

64. Find out the location and use of the following parts—

Limbers.
Limber boards.
Ceiling.
Cargo battens.
Rose boxes (strums, also strainers).
Intercostal plates.
Keelson.
Stringers.
Framing.
Beams.
Shell plating.
Pillars.
Bulkheads.
Tanks.

Digitized by Google

Bilges.
Smothering lines.
Sounding pipes.
Fire lines.
Light connections.
Mast partners.
Mast wedges.
Shaft trunk.
Hatch coamings.
Hatch strong backs.
Hatch fore and afters.
Hatch battens.
Hatch covers.
Wedges.

65. Where do the steam pipes lead into the holds?

66. Where are the valves located? Which is which?

67. Where are the plugs for cargo clusters?

68. Where are the cargo clusters kept? How many are there?

69. Are they all in good condition?

70. How much dunnage wood in the holds?

71. What cargo was carried last?

72. What cargo loading or coming in?

73. How much and what kind of dunnage will be needed?

74. Who is the boss stevedore? Watch him.

75. Note where each ventilator leads to.

76. Get acquainted with the deck engineers.

77. What kind of winches are used?

78. Get familiar with all details of the cargo handling gear. How many booms, capacity? Is gear rove off on steel boom? Where is it stowed? In what condition? How is it rigged?

79. How many hawsers in the vessel? Where stowed? In what condition?

Digitized by Google

80. How many wires in the vessel? What size? Where and how stowed?

81. How does hand steering gear work? What type of steering engine? How is it locked when shifting from steam to hand?

82. Are there wave oil tanks? Where? How is flow of oil controlled? What kind of oil is used? How much on board? How much required by law?

83. Where are the following lockers, and what do they contain?

Boatswain's.
Paint.
Lamp.
Sail.

84. Is there a steam line running into the paint and lamp lockers for smothering fire?

85. What kind of windlass is fitted? How does it work by hand? How many men needed to weight anchor by hand?

86. Do the gangways abreast of cargo hatches turn in, lift out, or are the rails and bulwarks stationary? Are the freeing ports well oiled and loose?

87. Where is the ice plant? What hatch?

88. Where is the washdeck gear kept? Are reducers fitted on salt water line for inch and a half wash deck hose?

89. Where is the sand locker?

90. Has the vessel range lights?

91. Learn the names and condition of the stays and shrouds. What strain do they bear—ordinarily—when lifting heavy weights?

92. What kind of coaling gear is used?

93. Has the vessel a sea anchor? Was it ever used?

94. Examine the turnbuckle screws in the rigging. Are they covered with canvas? How old? Are they whiteleaded and tallowed?

Digitized by Google

95. Where are the slings, chain and rope kept? In what condition? How many?

96. How many net slings on board? What condition?

97. What happens when metal becomes fatigued? Where is this liable to happen? What is a crystalline fracture?

98. What kind of wood in the decks? In the margin or waterway planks? Know Oregon pine—pitch pine—yellow pine—teak, when you see it.

99. How are decks caulked? What kind of filler is used—pitch—marine glue?

100. What do you know about the following parts of a steamer? Of her fittings, etc.?

Anchor davits?
Anchors?
Awning deck?
Ballast—water—dry?
Beams—camber of—duty of—theory of—spacing—strength—types?
Bilges—bilge keels?
Boat chocks. Davits—cranes?
Bollards? How many, etc?
Bow—different kinds—framing?
Breast hooks?
Bridge—locations—names, etc.?
Buckled—plates—spars?
Bulkheads? How many—what kind—where?
Bull rope?
Bulwarks?
Bunkers—how many—what capacity—where?
Buoyancy? What is it? Reserve buoyancy?
Bureau veritas? What is it? What does it do?
Buttock lines?
Buttstraps?
Cables—size—weight—strength—studs—marking—shackles—forelocks—swivels?
Cant frames (old dagger knees)?
Cantilever principle—where used?
Capstans—where—how many—what uses?

Digitized by Google

Cargo—a big subject—takes a year or two to master it.
Catheads?
Cattle steamers—guards—footlocks, etc?
Caulking — tools — materials? Steel plates — wood decks? Ceiling?
Cement—hydraulic—asphaltic?
Chain—slings—for clearing limbers, etc.?
Chart house?
Cheek plates?
Circulating pumps?
Coaling hatches—ports—chutes?
Coamings?
Coefficient of fineness?
Commercial efficiency of a vessel?
Composite construction?
Corrosion—where most prevalent—how to keep down?
Dead weight cargo? also measurement cargo?
Decks—how many—where—what purpose?
Derricks? How many?
Docking—stresses—all—data?
Dolly—what is it?
Donkey boiler—where—why?
Doors—watertight—where—how closed—how controlled?
Double bottom? See plans—study.
Doubling plates? Where?
Drain holes—in bottom?
Elastic limit—of materials used in construction of vessel?
Electric welding—how—how strong?
Engine—learn all you can about it.
Escape holes—for trimmers?
Expansion joints—bends—trunks?
Fair leads?
Fans?
Fiddley?
Floors—rise of?
Flush deck?
Fore foot?
Forgings?

Digitized by Google

Frames?—look them over when in the hold.
What are
Z bars?
Bulb angles?
Channel bars?
Web frames?
Reverse frames?
Transome frames?
Freeboard? How determined?
Freeing ports—percentage of in bulwarks?
Frictional, or skin resistance?
Galley? Where—how many?
Garboard strake?
Girders?
Grain bulkheads?
Gudgeons?
Gunwale?
Gutters?
Half beams?
Hatches—how many—where—names? Booby hatch?
Hawse pipes? Clearing hawse?
Heeling?
Hogging?
Hydraulic derricks—principle?
Insulation of holds?
Isherwood system of framing?
Jogged framing?
Jib-booms?
Keel—kind, plate, bilge?
Keelson? Where—why?
Knighthead frame?
Lapped joints?
Launching—how done?
Limbers—limber boards?
Lloyd's—register—rules?
Load line?
Longitudinal bulkheads—framing?
Manholes—where—why?
Margin plates?
Masts—caps—coats—holes—partners—steps—stiffen-

Digitized by Google

ers—telescopic—wedges? Bending forces—Buckling — failure — material — painting interior — rake —strength of?
Natural draft?
Neutral axis of a beam?
Oil fuel—flash point?
Oxy-acetylene blow pipe—how used?
Paints—what kind used aboard ship—how mixed? Where stowed—How much used? What surface will gallon cover? How long in applying?
Panting—what is it—have you noticed it at sea, etc.?
Peak tanks—fore peak—what stowed there?
Pillars—stations, etc? Their function?
Pintles?
Plating—how thick—how joined?
Portland cement—same as hydraulic—what uses?
Pratigue—what is it?
Propellers—how many—what kind—pitch—motion?
Pressure—steam—in deck lines—main boilers—donkey boilers—water pressure—under bottom?
Pumps—where are hand pumps—what will they throw —do they work?
Quadrant tiller—how connected to steering engine?
Red lead—use of?
Relieving tackles for steering gear—how rove?
Rigging—chain plates—screws—spread of—strength of?
Rivets—in what kind of shear? Pitch—strength?
Rolling chocks (bilge keels)?
Rudder—angle of—balanced, or not—cross head—how supported?
Sanitary tanks—where located—how filled?
Scuppors where located? Are those on deck house tops clear?
Scantlings—what do they include?
Shaft—bearings—stools—tube—tunnel?
Sheathing—wood—copper?
Sheer?
Shell palting?
Skylights?
Sounding pipes—rods—how marked—how used?

Digitized by Google

Spar deck?
Sponsons?
Steel strength of—tensile—shearing—compressive?
Stem?
Steering gear—learn all about it.
Stern—ordinary—cruiser?
Stoke holds (fire rooms)?
Stress?
Strain?
Stringers? Duty of?
Surveys—purpose—by whom?
Sweating—cork paint?
Tail shaft—where—after gland—what?
Tanks—how lined—where?
Thrust block?
Ventilation—how accomplished—natural or blower?
Vibration?—note it at sea.
Water ballast—part of tank data?
Water line?
Water tight doors—where—how managed?
Well decks?
Winches?
Yards—if any?
Zincs—what used for—why?

A young officer must become an enthusiast about a vessel; everything on board must be known to him, if he cares to rise in his profession.

Digitized by Google

CHAPTER XIV

CADETS

UNDER the laws establishing an ocean mail service certain vessels so engaged are required to carry cadets.

Excerpts from this law follow:

"OCEAN MAIL SERVICE

"Said vessels shall take, as cadets or apprentices, one American-born boy, under twenty-one years of age for each one thousand tons gross register, and one for each majority fraction thereof, who shall be educated in the duties of seamanship, rank as petty officers, and receive such pay for their services as may be reasonable."

The system of carrying cadets is sound in principle, but in many instances the law has been carried out according to a peculiar interpretation of the phrase "**Shall be educated in the duties of seamanship.**"

Education is a term of wide meaning, but "seamanship" or the "Duties of Seamanship" is at least fairly definite. The whole cadet system should be put upon a definite basis of regular instruction, or else be done away with.

Many of us can remember a scouting party hurrying across West Street to pick up a "cadet" or two, so the good ship could go to sea in full compliance with the law.

Digitized by Google

CHAPTER XV

LAWS DEFINING OFFICERS OF MERCHANT VESSELS

Citizenship of officers.

All the officers of vessels of the United States who shall have charge of a watch, including pilots, shall in all cases be citizens of the United States. [Metlakahtla Indians excepted by act, March 4, 1907.] (R. S., 4131.)

The word "officers" shall include the chief engineer and each assistant engineer in charge of a watch on vessels propelled wholly or in part by steam; and after the first day of January, eighteen hundred and ninety-seven, no person shall be qualified to hold a license as a commander or watch officer of a merchant vessel of the United States who is not a native-born citizen, or whose naturalization as a citizen shall not have been fully completed. (May 28, 1896; sec. 1.)

In cases where on a foreign voyage, or on a voyage from an Atlantic to a Pacific port of the United States, any such vessel is for any reason deprived of the services of an officer below the grade of master, his place, or a vacancy caused by the promotion of another officer to such place, may be supplied by a person not a citizen of the United States until the first return of such vessel to its home port; and such vessel shall not be liable to any penalty or penal tax for such employment of an alien officer. (June 26, 1884; sec. 1; May 28, 1896; sec. 3.)

The President of the United States is hereby authorized, whenever in his discretion the needs of foreign commerce may require, to suspend by order, so far and for such length of time as he may deem desirable, the provisions of law prescribing that all the watch officers

Digitized by Google

of vessels of the United States registered for foreign trade shall be citizens of the United States. (Aug. 18, 1914; sec. 2.)

* * * * * *

The provisions of law prescribing that the watch officers of vessels of the United States registered for foreign trade shall be citizens of the United States are hereby suspended so far and for such length of time as is herein provided, namely: All foreign-built ships which shall be admitted to United States registry under said act may retain the watch officers employed thereon, without regard to citizenship, for seven years from this date, and such watch officers shall be eligible for promotion. Any vacancy occurring among such watch officers within two years from this date may be filled without regard to citizenship; but any vacancy which may occur thereafter shall be filled by a watch officer who is a citizen of the United States. * * * (Executive order, Sept. 4, 1914.)

Watch officers who are not citizens.

Executive order of Sept. 1, 1916:

1. The provisions of the law prescribing that the watch officers of vessels of the United States registered for foreign trade shall be citizens of the United States, are hereby suspended so far and for such length of time as is herein provided, namely: All watch officers now employed on foreign-built ships which have been admitted to United States registry under said Act who, heretofore, have declared their intention to become citizens of the United States and watch officers on such ships who, within six months from this date, shall declare their intention to become such citizens shall be entitled to serve on foreign-built ships so registered until the time shall have expired within which they may become such citizens under their declarations, and shall be eligible for promotion upon any foreign-built ship so registered.

Duration of licenses.

All licenses issued to such officers shall be for a term of five years, but the holder of a license may have the same renewed for another five years in the manner prescribed in the rules and regulations of the Board of Supervising Inspectors: *Provided, however*, That any officer holding a license, and who is engaged in a service which necessitates his continuous absence from the United States, may make application in writing for renewal and transmit the same to the board of local inspectors, with his certificate of citizenship, if naturalized, and a statement of the applicant, verified before a consul or other officer

Digitized by Google

of the United States authorized to administer an oath, setting forth the reasons for not appearing in person; and upon receiving the same the board of local inspectors that originally issued such license shall renew the same and shall notify the applicant of such renewal: *Provided further*, That no license as master, mate, or pilot of any class of vessel shall be renewed without furnishing a satisfactory certificate of examination as to color blindness. And in all cases where the issue is the suspension or revocation of such licenses, whether before the local boards of inspectors (of steam vessels), as provided for in section forty-four hundred and fifty of the Revised Statutes, or before the supervising inspectors, as provided for in section forty-four hundred and fifty-two of the Revised Statutes, the accused shall be allowed to appear by counsel and to testify in his own behalf. (May 28, 1896; sec. 2; Oct. 22, 1914.)

Service during war.

No master, mate, pilot, or engineer of steam vessels licensed under title fifty-two [R. S., 4399–4500] of the Revised Statutes shall be liable to draft in time of war, except for the performance of duties such as required by his license; and, while performing such duties in the service of the United States, every such master, mate, pilot, or engineer shall be entitled to the highest rate of wages paid in the merchant marine of the United States for similar services; and, if killed or wounded while performing such duties under the United States, they, or their heirs, or their legal representatives shall be entitled to all the privileges accorded to soldiers and sailors serving in the Army and Navy, under the pension laws of the United States. (May 28, 1896; sec. 2.)

Officer's license.

The boards of local inspectors shall license and classify the masters, chief mates, and second and third mates, if in charge of a watch, engineers, and pilots of all steam vessels, and the masters of sail vessels of over seven hundred gross tons; and all other vessels of over one hundred gross tons carrying passengers for hire. It shall be unlawful to employ any person, or for any person to serve, as a master, chief mate, engineer, or pilot of any steamer or as master of any sail vessel of over seven hundred gross tons, or of any other vessel of over one hundred gross tons carrying passengers for hire, who is not licensed by the inspectors; and anyone violating

Digitized by Google

this section shall be liable to a penalty of one hundred dollars for each offense. [See act June 9, 1910, p. 351.] (R. S., 4438; Dec. 21, 1898; Jan. 25, 1907; May 28, 1908; sec. 2.)

Every master, mate, engineer, and pilot who shall receive a license shall, when employed upon any vessel, within forty-eight hours after going on duty, place his certificate of license, which shall be framed under glass, in some conspicuous place in such vessel, where it can be seen by passengers and others at all times: *Provided*, That in case of emergency such officer may be transferred to another vessel of the same owners for a period not exceeding forty-eight hours without the transfer of his license to such other vessel; and for every neglect to comply with this provision by any such master, mate, engineer, or pilot, he shall be subject to a fine of one hundred dollars, or to the revocation of his license. [See act June 9, 1910, p. 351.] (R. S., 4446; Feb. 19, 1907.)

Master's license.

Whenever any person applies to be licensed as master of any steam vessel, or of a sail vessel of over seven hundred tons, the inspectors shall make diligent inquiry as to his character, and shall carefully examine the applicant as well as the proofs which he presents in support of his claim, and if they are satisfied that his capacity, experience, habits of life, and character are such as warrant the belief that he can safely be intrusted with the duties and responsibilities of the station for which he makes application, they shall grant him a license authorizing him to discharge such duties on any such vessel for the term of five years; but such license shall be suspended or revoked upon satisfactory proof of bad conduct, intemperate habits, incapacity, inattention to his duties, or the willful violation of any provision of this title [R. S., 4399–4500] applicable to him. [See act June 9, 1910, p. 351.] (R. S., 4439; Dec. 21, 1898; sec. 2.)

Mate's license.

Whenever any person applies for authority to be employed as chief mate of ocean or coastwise steam vessels or of sail vessels of over seven hundred tons, or as second or third mate of ocean or coastwise steam vessels, who shall have charge of a watch, or whenever any person applies for authority to be employed as mate of river

Digitized by Google

steamers, the inspectors shall require satisfactory evidence of the knowledge, experience, and skill of the applicant in lading cargo and in handling and stowage of freight, and if for license as chief mate on ocean or coastwise steamers, or of sail vessels of over seven hundred tons, or as second or third mate of ocean or coastwise steamers, who shall have charge of a watch, shall also examine him as to his knowledge and ability in navigation and managing such vessels and all other duties pertaining to his station, and if satisfied of his qualifications and good character they shall grant him a license authorizing him to perform such duties for the term of five years upon the waters upon which he is found qualified to act; but such license shall be suspended or revoked upon satisfactory proof of bad conduct, intemperate habits, unskillfulness, or want of knowledge of the duties of his station or the willful violation of any provision of this title [R. S., 4399–4500]. [See act June 9, 1910, p. 351.] (R. S., 444c; Dec. 21, 1898; sec. 3.)

Engineer's license.

Whenever any person applies for authority to perform the duties of engineer of any steam-vessel, the inspectors shall examine the applicant as to his knowledge of steam-machinery, and his experience as an engineer, and also the proofs which he produces in support of his claim; and if, upon full consideration, they are satisfied that his character, habits of life, knowledge, and experience in the duties of an engineer are all such as to authorize the belief that he is a suitable and safe person to be intrusted with the powers and duties of such a station, they shall grant him a license, authorizing him to be employed in such duties for the term of five years, in which they shall assign him to the appropriate class of engineers; but such license shall be suspended or revoked upon satisfactory proof of negligence, unskillfulness, intemperance, or the willful violation of any provision of this Title [R. S., 4399–4500]. Whenever complaint is made against any engineer holding a license authorizing him to take charge of the boilers and machinery of any steamer, that he has, through negligence or want of skill, permitted the boilers in his charge to burn or otherwise become in bad condition, or that he has not kept his engine and machinery in good working order, it shall be the duty of the inspectors, upon satisfactory proof of such negligence or want of skill, to revoke the license of such engineer and assign him to a lower grade or class of engineers, if they find him

Digitized by Google

fitted therefor. [See act June 9, 1910, p. 351.] (R. S., 4441; May 28, 1896.)

Pilot's license.

Whenever any person claiming to be a skillful pilot of steam-vessels offers himself for a license, the inspectors shall make diligent inquiry as to his character and merits, and if satisfied, from personal examination of the applicant, with the proof that he offers that he possesses the requisite knowledge and skill, and is trustworthy and faithful, they shall grant him a license for the term of five years to pilot any such vessel within the limits prescribed in the license; but such license shall be suspended or revoked upon satisfactory evidence of negligence, unskillfulness, inattention to the duties of his station, or intemperance, or the willful violation of any provision of this title [R. S., 4399–4500]. [See act June 9, 1910, p. 351.] (R. S., 4442; May 28, 1896.)

Master or mate acting as pilot.

Where the master or mate is also pilot of the vessel, he shall not be required to hold two licenses to perform such duties, but the license issued shall state on its face that he is authorized to act in such double capacity. [See act June 9, p. 351.] (R. S., 4443.)

Oath of officer.

Every master, chief mate, engineer, and pilot, who receives a license, shall, before entering upon his duties, make oath before one of the inspectors herein provided for, to be recorded with the certificate, that he will faithfully and honestly, according to his best skill and judgment, without concealment or reservation, perform all the duties required of him by law. (R. S., 4445.)

Every applicant for license as either master, mate, pilot, or engineer under the provisions of this title [R. S., 4399–4500] shall make and subscribe to an oath of affirmation, before one of the inspectors referred to in this title, to the truth of all the statements set forth in his application for such license.

Any person who shall make or subscribe to any oath or affirmation authorized in this title and knowing the same to be false shall be deemed guilty of perjury.

Every licensed master, mate, pilot, or engineer who shall change,

Digitized by Google

by addition, interpolation, or erasure of any kind, any certificate or license issued by any inspector or inspectors referred to in this title shall, for every such offense, upon conviction, be punished by a fine of not more than five hundred dollars or by imprisonment at hard labor for a term not exceeding three years. (Mar. 23, 1900.)

Removal of master.

Any person or body corporate having more than one-half ownership of any vessel shall have the power to remove a master, who is also part owner of such vessel, as such majority owners have to remove a master not an owner. This section shall not apply where there is a valid written agreement subsisting, by virtue of which such master would be entitled to possession, nor in any case where a master has possession as part owner, obtained before the ninth day of April, eighteen hundred and seventy-two. (R. S., 4250.)

Digitized by Google

CHAPTER XVI

THE EXAMINATION FOR LICENSES—MASTER AND MATES

Original Licenses.

Before an original license is issued to any person to act as a master, mate, pilot, or engineer he shall personally appear before some local board or a supervising inspector for examination. Any person who has attained the age of 19 years and has had the necessary experience shall be eligible for examination: *Provided*, That no person shall receive a license as master or chief engineer before reaching the age of 21 years.

Inspectors shall, before granting an original license to any person to act as an officer of a vessel, require the applicant to make written application upon the blank form furnished by the Department of Commerce, to be filed in the inspectors' office. When practicable, applicants for master's, mate's, pilot's, or engineer's license shall present to the inspectors, to be filed with their application, discharges or letters from the master or other officer under whom they have served, certifying to the name of the vessel and in what capacity the applicant has served under him; also period of such service. Inspectors shall also, when practicable, require applicant for pilot's license to have the written indorsement of the master and engineer of the vessel upon which he has served, and of one licensed pilot, as to his qualifications. In the case of applicants for original engineer's license, they shall also, when practicable, have the indorsement of the master and engineer of a vessel on which they have served, together with one other licensed engineer.

The first license issued to any person by a United States inspector shall be considered an original license, where the United States records show no previous issue to such applicant.

No original license shall be issued to any naturalized citizen on less experience in any grade than would have been required of a citizen of the United States by birth. (R. S., 4465.)

Digitized by Google

The requirements for a license have been greatly modified, and the following circular letter sets forth the minimum technical knowledge necessary to pass the examiners:

DEPARTMENT OF COMMERCE

STEAMBOAT INSPECTION SERVICE
WASHINGTON

June 13, 1917.

U. S. Supervising and Local Inspectors, Steamboat-Inspection Service.

Under the provisions of Section 4405, Revised Statutes of the United States, as amended by the act of Congress approved February 8, 1907, the executive committee of the Board of Supervising Inspectors, Steamboat-Inspection Service, at a called meeting held in Washington, D. C., from June 4 to 12, inclusive, 1917, adopted the following resolutions:

These amendments of the rules, having received the approval of the Secretary of Commerce on June 12, 1917, have now the force of law, and must be observed accordingly.

Resolved, That section 8, Rule V, General Rules and Regulations, all classes, be struck out and the following substituted therefor:

Renewal of licenses.

8. Whenever an officer shall apply for a renewal of his license for the same grade, the presentation of the old license with oath of officer shall be considered sufficient evidence of his title to renewal, which old license and oath of office shall be retained by the inspectors upon their official files as the evidence upon which the license was renewed.

Whenever a licensed officer makes application for a renewal of his license, he shall appear in person before some board of local inspectors or supervising inspector, except that upon renewal of such license for the same grade, when the distance from any local board or supervising inspector is such as to put the person holding the same to great inconvenience and expense to appear in person, he may, upon taking oath of office before any person authorized to administer oaths, and forwarding the same, together with the license to be

Digitized by Google

renewed, to the local board or supervising inspector of the district in which he resides or is employed, have the same renewed by the said inspectors, if no valid reason to the contrary be known to them; and they shall attach such oath to the stub end of the license, which is to be retained on file in their office: *Provided, however*, That any officer holding a license, and who is engaged in a service which necessitates his continuous absence from the United States, may make application in writing for renewal and transmit the same to the board of local inspectors, with its certificate of citizenship, if naturalized, and a statement of the applicant, verified before a consul or other officer of the United States authorized to administer an oath, setting forth the reasons for not appearing in person; and upon receiving the same the board of local inspectors that originally issued such license shall renew the same and shall notify the applicant of such renewal, and no license as master, mate, or pilot of any class of vessel shall be renewed without a certificate that the color sense of the applicant is normal. (R. S., 4405, 4438.)

Amendments of general rules and regulations, ocean and coastwise.

Resolved: That sections 20 to 30, both inclusive, Rule V, General Rules and Regulations, Ocean and Coastwise, be struck out and the following substituted therefor:

Substituting service in next lower grade for raise of grade.

20. Except as hereinafter provided, an applicant who has served in a lower grade than that for which he is licensed may substitute service in the grade next below that for which he is licensed, which service shall count one-half in computing experience for raise of grade. For example, if an applicant holds chief mate's license and has served nine months as chief mate and six months as second mate, the six months' service as second mate shall count as three months as chief mate in computing experience.

Master of ocean steam vessels.

21. An applicant for license as master of ocean steam vessels shall be eligible for examination after he has furnished satisfactory documentary evidence to the local inspectors that he has had the following experience:

Digitized by Google

First. One year's service as chief mate of ocean steam vessels, or

Second. Two years' service as second mate of ocean steam vessels, one year of such service while holding a license as chief mate of ocean steam vessels, or

Third. Two years' service as watch officer actually in charge of a bridge watch on ocean steam vessels, while holding a license as chief mate of ocean steam vessels, or

Fourth. Five years' service as third mate of ocean steam vessels, two years of such service while holding a license as chief mate of ocean steam vessels, or

Fifth. Five years' service on ocean sail vessels of 300 gross tons or over, two years of such service while holding a license as master of sail vessels, or

Sixth. One year's service as master or chief mate of coastwise steam vessels.

Examination for master of ocean steam vessels.

22. An applicant for license as master of ocean steam vessels shall pass a satisfactory examination as to his knowledge of the following subjects:

1. Latitude by meridian altitude of the sun.
2. Latitude by ex-meridian altitude of the sun.
3. Latitude by meridian altitude of a star.
4. Latitude by pole star.
5. Longitude by chronometer (A.M. and P.M.).
6. Position by Sumner's method.
7. Day's work.
8. Mercator's sailing.
9. Deviation of the compass by an amplitude.
10. Deviation of the compass by an azimuth.
11. Time of high water at a given port.
12. Chart navigation.
13. Storm signals.
14. International code of signals.
15. International rules for preventing collisions at sea.
16. Use of gun and rocket apparatus for saving life from shipwreck, as practiced by the United States Coast Guard.
17. Such further examination of a non-mathematical character as the local inspectors may require.

Digitized by Google

Masters of coastwise steam vessels.

23. An applicant for license as master of coastwise steam vessels shall be eligible for examination after he has furnished satisfactory documentary evidence to the local inspectors that he has had the following experience:

First. One year's service as chief mate of ocean or coastwise steam vessels, or

Second. Two years' service as second mate of ocean or coastwise steam vessels, one year of such service while holding a license as chief mate of ocean or coastwise steam vessels, or

Third. Five years' service as third mate of ocean or coastwise steam vessels, two years of such service while holding a license as chief mate of ocean or coastwise steam vessels, or

Fourth. One year's service as master of lake, bay, or sound steam vessels and in addition thereto one year's service as second mate, third mate, quartermaster or wheelsman on ocean or coastwise steam vessels while holding a license as master of lake, bay, or sound steam vessels, or

Fifth. Five years' service on ocean or coastwise sail vessels of 300 gross tons or over, two years of which service shall have been as master, or

Sixth. One year's service as a licensed master of ocean or coastwise sail vessels of 700 gross tons or over, or

Seventh. Two years' service as master of lake, bay, or sound towing steam vessels for license as master of coastwise towing steam vessels of 300 gross tons or under.

In cases where the experience of an applicant for license as master of coastwise steam vessels does not meet the specific requirements of this section, other service which the local inspectors consider a fair and reasonable equivalent may be accepted by them in lieu of the service herein specified.

Examination for master of coastwise steam vessels.

24. An applicant for license as master of coastwise steam vessels on routes exceeding 300 miles shall pass a satisfactory examination as to his knowledge of the following subjects:

1. Latitude by meridian altitude of the sun.
2. Latitude by pole star.
3. Day's work.

Digitized by Google

4. Determination of distance from a fixed object.
5. Chart navigation.
6. International rules for preventing collisions at sea.
7. Storm signals.
8. Use of gun and rocket apparatus for saving life from shipwreck, as practiced by the United States Coast Guard.
9. Such further examination of a non-mathematical character as the local inspectors may require.

An applicant for license as master of coastwise steam vessels on route not exceeding 300 miles shall pass a satisfactory examination as to his knowledge of the following subjects·

1. Chart navigation.
2. Aids to navigation on route.
3. Determination of distance from a fixed object.
4. International rules for preventing collisions at sea.
5. Storm signals.
6. Such further examination of a non-mathematical character as the local inspectors may require

Masters of sail vessels.

25. An applicant for license as master of sail vessels of over 700 gross tons shall be eligible for examination after he has furnished satisfactory documentary evidence to the local inspectors that he has had the following experience:

First. Five years' service in the deck department of sail vessels of 200 gross tons or over, one year of such service shall have been as master of sail vessels of 500 gross tons or over, or

Second. Two years' service as master of sail vessels of 200 gross tons or over, or

Third. Two years' service as mate of sail vessels of 500 gross tons or over, or

Fourth. Two years' service as master of auxiliary sail vessels of 100 gross tons or over.

In cases where the experience of an applicant for license as master of sail vessels does not meet the specific requirements of this section, other service which the local inspectors consider a fair and reasonable equivalent may be accepted by them in lieu of the service herein specified.

Digitized by Google

Examination for license as master of sail vessels.

26. An applicant for license as master of sail vessels shall pass a satisfactory examination as to his knowledge of the following subjects:

1. Latitude by meridian altitude of the sun.
2. Latitude by pole star.
3. Longitude by chronometer (A.M. and P.M.).
4. Day's work.
5. Mercator's sailing.
6. Deviation of the compass by an amplitude.
7. Deviation of the compass by an azimuth.
8. Chart navigation.
9. International code of signals.
10. Storm signals.
11. International rules for preventing collisions at sea.
12. Use of gun and rocket apparatus for saving life from shipwreck, as practiced by the U. S. Coast Guard.
13. Such further examination of a non-mathematical character as the local inspectors may require.

Chief mate of ocean steam vessels.

27. An applicant for license as chief mate of ocean steam vessels shall be eligible for examination after he has furnished satisfactory documentary evidence to the local inspectors that he has had the following experience:

First. One year's service as a licensed second mate of ocean or coastwise steam vessels, or

Second. Two years' service as watch officer on ocean or coastwise steam vessels, while holding license as second mate of ocean or coastwise steam vessels, or

Third. Two years' service as third mate of ocean or coastwise steam vessels, one year of such service while holding a license as second mate of ocean or coastwise steam vessels, or

Fourth. Two years' service as master of lake, bay, or sound steam vessels of 1,000 gross tons or over, or

Fifth. Five years' service in the deck department of ocean or coastwise sail vessels of 200 gross tons or over, two years of which service as chief mate of such ocean or coastwise sail vessels, or

Sixth. Two years' service in the deck department of steam vessels engaged in the ocean or coastwise fisheries, one year of such service to have been as master of such vessels, or

Digitized by Google

Seventh. Five years' service in the deck department of sail vessels engaged in the ocean or coastwise fisheries, two years of such service to have been as master of such vessels.

In cases where the experience of an applicant for license as chief mate of ocean steam vessels does not meet the specific requirements of this section, other service which the local inspectors consider a fair and reasonable equivalent may be accepted by them in lieu of the service herein specified.

Second mate of ocean steam vessels.

28. An applicant for license as second mate of ocean steam vessels shall be eligible for examination after he shall have furnished satisfactory documentary evidence to the local inspectors that he has had the following experience:

First. One year's service as third mate of ocean or coastwise steam vessels, or

Second. Three years' service in the deck department of ocean or coastwise steam vessels, one year of such service shall have been as watch officer or quartermaster on such vessels, or

Third. A graduate from the seamanship class of a nautical school ship together with three months' service in the deck department of ocean or coastwise steam vessels, or

Fourth. Three years' service in the deck department of ocean or coastwise sail vessels of 200 gross tons or over, one year of such service shall have been as second mate of such vessels, or

Fifth. One year's service as quartermaster of ocean or coastwise steam vessels while holding a license as third mate of ocean or coastwise steam vessels, or

Sixth. Three years' service as a seaman in the deck department of ocean or coastwise sail vessels together with one year's service in the deck department of ocean or coastwise steam vessels, or

Seventh. Five years' service in the deck department of ocean or coastwise sail vessels of 100 gross tons or over. Service on sail vessels engaged in the ocean or coastwise fisheries shall be accepted as meeting the requirements of this paragraph, or

Eighth. One year's service as first-class pilot of lake, bay, or sound steam vessels of 500 gross tons or over, together with three months' service in the deck department of ocean or coastwise steam vessels, or

Ninth. One year's service as master of lake, bay, or sound steam vessels of 500 gross tons or over

Digitized by Google

In cases where the experience of an applicant for license as second mate of ocean steam vessels does not meet the specific requirements of this section, other service which the local inspectors consider a fair and reasonable equivalent may be accepted by them in lieu of the service herein specified.

Examination for license as chief mate and second mate of ocean steam vessels.

29. An applicant for license as chief mate or second mate of ocean steam vessels shall be required to pass a satisfactory examination as to his knowledge of the following subjects:

1. Latitude by meridian altitude of the sun.
2. Latitude by meridian altitude of a star.
3. Longitude by chronometer (A.M. and P. M.).
4. Deviation of the compass by an amplitude.
5. Deviation of the compass by an azimuth.
6. Day's work.
7. Mercator's sailing.
8. Determination of distance from a fixed object.
9. Chart navigation.
10. Storm signals.
11. International code of signals.
12. International rules for preventing collisions at sea.
13. Stowage of cargo.
14. Use of gun and rocket apparatus for saving life from shipwreck, as practiced by the United States Coast Guard.
15. Such further examination of a non-mathematical character as the local inspectors may require.

Third mate of ocean steam vessels.

30. An applicant for license as third mate of ocean steam vessels shall be eligible for examination after he has furnished satisfactory documentary evidence to the local inspectors that he has had the following experience:

First. Two years' service in the deck department of ocean or coastwise steam vessels, or

Second. Three years' service in the deck department of ocean or coastwise sail vessels, or

Third. A graduate from the seamanship class of a nautical school ship, or

Digitized by Google

Fourth. One year's service as master or pilot of lake, bay, or sound steamers.

In cases where the experience of an applicant for license as third mate of ocean steam vessels does not meet the specific requirements of this section, other service which the local inspectors consider a fair and reasonable equivalent may be accepted by them in lieu of the service herein specified.

Examination for license as third mate of ocean steam vessels.

31. An applicant for license as third mate of ocean steam vessels shall be required to pass a satisfactory examination as to his knowledge of the following subjects:

1. Latitude by meridian altitude of the sun.
2. Day's work.
3. Mercator's sailing.
4. Determination of distance from a fixed object.
5. Chart navigation.
6. International rules for preventing collisions at sea.
7. Stowage of cargo.
8. Storm signals.
9. Such further examination of a non-mathematical character as the local inspectors may require.

Chief mate of coastwise steam vessels.

32. An applicant for chief mate of coastwise steam vessels shall be eligible for examination after he has furnished satisfactory documentary evidence to the local inspectors that he has had the following experience:

First. One year's service as second mate of ocean or coastwise steam vessels, or

Second. One year's service as first-class pilot of lake, bay, sound steam vessels, together with one year's service as quartermaster or wheelsman on ocean or coastwise steam vessels while holding a license as first-class pilot of lake, bay, or sound steam vessels, or

Third. Two years' service as third mate of ocean or coastwise steam vessels, or

Fourth. Two years' service in the deck department of steam vessels engaged in the ocean or coastwise fisheries, one year of such service to have been as master of such vessels, or

Digitized by Google

Fifth. Five years' service in the deck department of sail vessels engaged in the ocean or coastwise fisheries, two years' of such service to have been as master of such vessels, or

Sixth. Two years' service as master of ocean or coastwise sail vessels of 200 gross tons or over, or

Seventh. Three years' service in the deck department of ocean or coastwise steam vessels for license as chief mate of coastwise steam vessels of 500 gross tons or under, or

Eighth. Two years' service in the deck department of ocean or coastwise sail vessels together with one year's service in the deck department of ocean or coastwise steam vessels for license as chief mate of coastwise steam vessels of 500 gross tons or under, or

Ninth. One year's service as master or two years' service as first-class pilot of lake, bay, or sound towing steam vessels for license as chief mate of coastwise towing steam vessels of 300 gross tons or under.

In cases where the experience of an applicant for license as chief mate of coastwise steam vessels does not meet the specific requirements of this section, other service which the local inspectors consider a fair and reasonable equivalent may be accepted by them in lieu of the service herein specified.

Second mate of coastwise steam vessels.

33. An applicant for license as second mate of coastwise steam vessels shall be eligible for examination after he has furnished satisfactory documentary evidence to the local inspectors that he has had the following experience:

First. One year's service as third mate of ocean or coastwise steam vessels, or

Second. One year's service as quartermaster or wheelsman on ocean or coastwise steam vessels while holding a license as third mate of ocean or coastwise steam vessels, or

Third. Three years' service in the deck department of ocean or coastwise steam vessels, or

Fourth. Two years' service in the deck department of ocean or coastwise sail vessels together with one year's service in the deck department of ocean or coastwise steam vessels, or

Fifth. A graduate from the seamanship class of a nautical school ship together with three months' service in the deck department of an ocean or coastwise steam vessel, or

Digitized by Google

Sixth. One year's service as a licensed master of lake, bay, or sound steam vessels, or

Seventh. Two years' service as first-class pilot of lake, bay, or sound steam vessels, or

Eighth. One year's service as first-class pilot of lake, bay, or sound steam vessels, together with three months' service in the deck department of ocean or coastwise steam vessels, or

Ninth. One year's service as chief mate of ocean or coastwise steam vessels engaged in the fisheries, or

Tenth. One year's service as master of ocean or coastwise sail vessels engaged in the fisheries.

In cases where the experience of an applicant for license as second mate of coastwise steam vessels does not meet the specific requirements of this section, other service which the local inspectors consider a fair and reasonable equivalent may be accepted by them in lieu of the service herein specified.

Third mate of coastwise steam vessels.

34. An applicant for license as third mate of coastwise steam vessels shall be eligible for examination after he has furnished satisfactory documentary evidence to the local inspectors that he has had the following experience:

First. Two years' service in the deck department of ocean or coastwise steam vessels, or

Second. Three years' service in the deck department of ocean or coastwise sail vessels, or

Third. A graduate from the seamanship class of a nautical school ship, or

Fourth. One year's service as master or first-class pilot of lake, bay, or sound steam vessels.

In cases where the experience of an applicant for license as third mate of coastwise steam vessels does not meet the specific requirements of this section, other service which the local inspectors consider a fair and reasonable equivalent may be accepted by them in lieu of the service herein specified.

Examination for license as chief nate and second mate of coastwise steam vessels.

35. An applicant for license as chief mate or second mate of coastwise steam vessels on routes exceeding 600 miles shall be required

Digitized by Google

to pass a satisfactory examination as to his knowledge of the following subjects:

1. Latitude by meridian altitude of the sun.
2. Day's work.
3. Determination of distance from a fixed object.
4. International rules for preventing collisions at sea.
5. Chart navigation.
6. Stowage of cargo.
7. Storm signals.
8. Such further examination of a non-mathematical character as the local inspectors may require.

An applicant for license as chief mate or second mate of coastwise steam vessels on routes of 600 miles or less shall be required to pass a satisfactory examination as to his knowledge of the following subjects:

1. Chart navigation.
2. Aids to navigation on route.
3. Determination of distance from a fixed object.
4. Marking of lead line.
5. International rules for preventing collisions at sea.
6. Storm signals.
7. Such further examination of a non-mathematical character as the local inspectors may require.

Examination for license as third mate of coastwise steam vessels.

36. An applicant for license as third mate of coastwise steam vessels shall pass a satisfactory examination as to his knowledge of the following subjects:

1. Chart navigation.
2. Determination of distance from a fixed object.
3. International rules for preventing collisions at sea.
4. Marking lead line.
5. Storm signals.
6. Such further examination of a non-mathematical character as the local inspectors may require.

Indorsement of Inland Licenses for Ocean Service.

Resolved, That whenever it may appear to the satisfaction of the Supervising Inspector General, that the demand for licensed officers

Digitized by Google

for ocean and coastwise vessels of the American merchant marine is such that it cannot be met under existing requirements and regulations he may authorize local inspectors to indorse the license of officers of lake, bay, and sound steam vessels for ocean or coastwise service for a period not to exceed six months or until such officer shall have passed a satisfactory examination for ocean or coastwise service within this period.

Officers whose licenses have been so indorsed shall present themselves for examination at the earliest possible opportunity after said indorsement.

Amendments of General Rules and Regulations for Bays, Sounds, and Lakes Other than the Great Lakes.

Experience Qualifications of Officers Eliminated.

Resolved, That for the present and until further notice, sections 20, 21, 23, 26, 31 and 32 of Rule V, General Rules and Regulations applying to Lakes (other than the Great Lakes), Bays, and Sounds, be struck out, and local inspectors notified that hereafter in issuing licenses to officers of vessels within this classification they may exercise the judgment and discretion vested in them by the law, without regard to the experience required by the rules and regulations the sufficiency of such experience to be determined by the local inspectors when the candidate applies for examination.

Digitized by Google

CHAPTER XVII

THE WATCH OFFICER

THE Officer of the Watch or the Watch Officer, as he is usually termed in the Merchant Service, is the deck officer who has charge of the vessel while under way at sea. On other occasions, if stopped through trouble, or because of communication with other vessels, or on occasions requiring special maneuvering, as in coming in and out of port, rescues at sea, etc., the Master assumes full charge.

The Watch Officers. The watch officers are usually the Chief, Second and Third Mates, on vessels of moderate tonnage. In larger craft different watches are arranged. Then the Chief Mate may stand no regular bridge watch, and the Second, Third, and Fourth Mates take this duty.

In some liners it is the custom to style the watch officers, all "second" officers; namely Senior, Junior, and Extra, Second Officers. These are usually all master mariners. Junior officers of the watch are also on the bridge, attend to the conning of the course, the working of navigation and bearings, and the keeping of the bridge log, which is signed by the senior watch officer at the end of the watch.

Importance of Watch Duty. For a long time a slipshod method of keeping watch prevailed in certain steamers, the outgrowth of second-rate sailing-ship practice, where thrifty, but ill-informed, masters, insisted on their watch officers keeping "busy" during the day.

It was thought advisable by these gentlemen to have the officer on the bridge "with nothing to do" attend to a bit of sewing on canvas, or help out with the painting, and what

Digitized by Google

not. Of course such masters were doomed to the scrap heap where they belong. A few miles added to the coal bill, through slovenly day-time steering, with kinks in the course as well as in the seams sewed by the misused officer, soon brought about reform. Added to this a certain danger, such as running down submerged hulls, and the like—with the thing happening once or twice, helped to wake up owners. Also, the bumping of two of these "economical" (and lubberly) craft, may have helped too.

FROM NAVIGATION LAWS OF THE UNITED STATES

The board of local inspectors shall make an entry in the certificate of inspection of every ocean and coastwise sea-going merchant vessel of the United States propelled by machinery, and every ocean-going vessel carrying passengers, the minimum number of licensed deck officers required for her safe navigation according to the following scale:

That no such vessel shall be navigated unless she shall have on board and in her service one duly licensed master. (Mar. 3, 1913; sec. 2.)

Three watches.

That every such vessel of one thousand gross tons and over, propelled by machinery, shall have in her service and on board three licensed mates, who shall stand in three watches while such vessel is being navigated, unless such vessel is engaged in a run of less than four hundred miles from the port of departure to the port of final destination, then such vessel shall have two licensed mates; and every vessel of two hundred gross tons and less than one thousand gross tons, propelled by machinery, shall have two licensed mates.

That every such vessel of one hundred gross tons and under two hundred gross tons, propelled by machinery, shall have on board and in her service one licensed mate; but if such vessel is engaged in a trade in which the time required to make the passage from the port of departure to the port of destination exceeds twenty-four hours, then such vessel shall have two licensed mates.

That nothing in this section shall be so construed as to prevent local inspectors from increasing the number of licensed officers on

Digitized by Google

any vessel subject to the inspection laws of the United States if, in their judgment, such vessel is not sufficiently manned for her safe navigation: *Provided*, That this section shall not apply to fishing or whaling vessels, yachts, or motor boats as defined in the Act of June ninth, nineteen hundred and ten.

Rest before going on watch.

It shall be unlawful for the master, owner, agent, or other person having authority, to permit an officer of any vessel to take charge of the deck watch of the vessel upon leaving or immediately after leaving port, unless such officer shall have had at least six hours off duty within the twelve hours immediately preceding the time of sailing, and no licensed officer on any ocean or coastwise vessel shall be required to do duty to exceed nine hours of any twenty-four while in port, including the date of arrival, or more than twelve hours of any twenty-four at sea, except in a case of emergency when life or property is endangered. Any violation of this section shall subject the person or persons guilty thereof to a penalty of one hundred dollars. (Sec. 3.)

Master Liable. The improper keeping of watch comes clearly under the head of negligence, or even misconduct, and the law governing this is of importance. The penalty, when death results from such negligence, misconduct, etc. is TEN THOUSAND DOLLARS FINE or IMPRISONMENT FOR TEN YEARS, **OR BOTH.**

The law is given below:

Death from negligence, misconduct, etc.

Every captain, engineer, pilot, or other person employed on any steamboat or vessel, by whose misconduct, negligence, or inattention to his duties on such vessel the life of any person is destroyed, and every owner, charterer, inspector, or other public officer, through whose fraud, neglect, connivance, misconduct, or violation of law the life of any person is destroyed, shall be fined not more than ten thousand dollars, or imprisoned not more than ten years, or both: *Provided*, That when the owner or charterer of any steamboat or vessel shall be a corporation, any executive officer of such corporation, for the time being actually charged with the control and manage-

Digitized by Google

ment of the operation, equipment, or navigation of such steamboat or vessel, who has knowingly and willfully caused or allowed such fraud, neglect, connivance, misconduct, or violation of law, by which the life of any person is destroyed, shall be fined not more than ten thousand dollars, or imprisoned not more than ten years, or both. (Sec. 282; Repeals R. S., 5344, and act Mar. 3, 1905, sec. 5.)

Watch officers should also heed another matter, a section of Rule V, of the Board of Supervising Inspectors, this rule is also given:

Only certain persons allowed in pilot house and on navigator's bridge.

17. Masters and pilots of steamers carrying passengers shall exclude from the pilot houses and navigator's bridge of such steamers, while under way, all persons not connected with the navigation of such steamers, except officers of the Steamboat-Inspection Service, Coast Guard, and engineer officers of the United States Army in charge of the improvement of that particular waterway, when upon business: *Provided*, That licensed officers of steamboats, persons regularly engaged in learning the profession of pilot, officers of the United States Navy, United States Coast and Geodetic Survey, and Lighthouse Service, assistant engineers of the Engineer Department of the United States Army connected with the improvement of that particular waterway, and the engineer officers connected with the construction and operation of the Panama Canal may be allowed in the pilot house or upon the navigator's bridge upon the responsibility of the officer in charge.

The master of every such passenger and ferry steamer shall keep three printed copies of this section of Rule V posted in conspicuous places on such steamer, one of which shall be kept posted in the pilot house.

Such printed copies shall be furnished by the Department of Commerce to local inspectors for distribution. (Sec. 4405, R. S.)

Relieving the Watch. On well-conducted vessels no part of the routine is so important, and so necessary of clear-cut understanding, as the matter of turning over the watch.

On a steamer in which the writer had the good fortune

Digitized by Google

to serve—a liner in the Transatlantic service—this formality was practiced with the utmost precision.

The officer in charge of the watch would keep facing ahead, near the telegraph, if the weather was thick. He would turn over the data of the watch rapidly and clearly; the relieving officer having already read over and initialed the Captain's order book.

Special orders from the Captain.

Position—how obtained—when.

Vessels passed; in last hour, at least.

Weather—fog if any; sea rising or falling.

Wind, veering, or hauling.

Distance made—by log—revolutions.

Soundings taken—if any.

Lights sighted, or expected; if in pilot waters.

How vessel was steering—wild—good—etc.

THEN—being ready to turn over the watch:

"The course is N. 76 degrees east," says the Officer of the Watch.

"N. 76 degrees, east," is the reply, and the moment these words are spoken the relief is in charge, and steps next to the telegraph.

An Incident at Eight Bells. This simple ceremony of turning the watch over took place one morning at eight bells—it was a smoky channel morning, heavy weather had been met with on the run eastward, and the train for London was waiting at Southampton, for the first-class passengers who expected to dine at the metropolis that night. It was foggy, and the vessel was doing close to twenty knots; the telegraphs at "stand by." Everything had been passed over to the relief. The quartermasters and juniors had

Digitized by Google

relieved each other, two watches were on the bridge at once, in the cold wet mist. One crowd, still a trifle sleepy, but filled with a sea breakfast, the other tired and wet.

Just as the course was being given, and half completed, something leapt out of the gray fog:

*Three " toots " on the horn in the crow's nest, sounded and a four-masted sailer shot up, as if a picture thrown on the screen of fog ahead.

" Hard Starb'd! " the order snapped out on the tail of the words of the course. The wet and draggled officer of the watch had not yet received his reply—**he was still in charge.**

His order came with the harsh jangle of the telegraph—he was stopping the port engine—and we swept past an iron four-masted ship, her crew clambering to the bulwarks, her sails slatting in the breeze, as we got the first sound of her horn.

The above is an instance where something happened at a critical moment. But both officers were trained men, and the man in charge knew he was still responsible, and acted without a second of delay.

Responsibility. Few men, aside from those who serve as officers at sea, have the responsibility of life and property so directly under them as the officers of the watch.

The young man who takes his first watch as officer in charge—with the great vessel—her lives—and cargo, all obedient to his order and dependent upon his skill and quickness in the sudden emergency that may spring up at any moment; that youngster is to be congratulated. Few men are given the direct handling and responsibility for such mighty forces.

He, in most cases, realizes this. Accidents are usually

* Three toots vessel (or light) ahead.

Digitized by Google

the outgrowth of carelessness, resulting from long watches at sea **where nothing ever happens.**

It is necessary that the officer of the watch constantly keep his edge. The old-fashioned system of "watch and watch," that man- and soul-killing drill of an age of short-sighted "economy," has come to be frowned upon by those who have had to pay the bills resulting from accident and loss.

The Officer of the watch should come to the bridge fresh and in full vigor. His senses of sight and hearing should be acute; he should be completely awake during the whole four hours of his duty.

He should constantly keep in mind what he must do under certain emergencies.

He should constantly be rehearsing disaster—with foresight as his mentor.

He must have ingrained in his being the instinctive knowledge of PORT and STARBOARD, and what they mean. Not as **words, but as effects.**

He should be a part of the ship. The direction of her head, or the action of her engines, should be as natural to him as any movement of his own body.

This habit of mind enables an officer to act as quick as he can think—to do the right thing without an instant of hesitation.

Rules of the Road. The rules of the road should also be a part of his unconscious knowledge—particularly those rules relating to the prevention of collision at sea.

Many watch officers—familiar with the rules of the Road on the high seas, are lamentably lax when conning their vessel through narrow waters; here is where a great percentage of the accidents to vessels occur. Know the inland

Digitized by Google

rules, the whistle signals; the proper side of the fairways to take; the buoys and marks.

What to Look Out for. The officer of the watch should keep his eyes pretty close to the water ahead; even in the sleepy times of peace. Look for patches of weed; and avoid them. Look for submerged wreckage; floating mines—for many years after the war—well whitened with bird droppings, and almost invisible in the wake of the sun.

And at the present time no merchantman needs to be warned to look out for periscopes, or what to do when he sees one—and remember they are camouflaged too. Do not be too quick to ram a periscope that is lying still. It may be a mine.

Vessels without Lights. Vessels in dangerous waters now run without the usual lights—in fact with no lights at all. This brings us to the question of redoubled vigilance of the keenest and most wide-awake type of watch officer. As vessels become more valuable, and more necessary—the necessity for the best kind of conning is self evident. Yet, due to our unfortunate lack of sea interest it is now necessary, to let down the bars and send back to the sea men who lack in the keenness and training that the situation demands, men who are simply so because of our faulty lack of foresight in the past.

The running without lights is sanctioned by the governments at war, as a necessary war measure and fog signals are omitted in war zones.

The Unwritten Rule. Watch officers have long considered an " unwritten rule " that has no doubt been acted upon. Namely, if you see collision coming, " hit the other fellow." This of course is to be taken for what it is worth and should find no response in the mind of the young officer who tramps the bridge on the night watch and works out the problems of the sea.

Digitized by Google

The law is very concise about the "Risk of collision" and collision comes without much warning. The one thing that is positive, is the duty to stand by, and this is incumbent on both vessels.

Risk of Collision Rule. Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

Duty to Stay by. In every case of collision between two vessels it shall be the duty of the master or person in charge of each vessel, if and so far as he can do so without serious danger to his own vessel, crew, and passengers (if any), to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew, and passengers (if any), such assistance as may be practicable and as may be necessary in order to save them from any danger caused by the collision, and also to give to the master or person in charge of the other vessel the name of his own vessel and her port of registry, or the port or place to which she belongs, and also the name of the ports and places from which and to which she is bound.

If he fails so to do, and no reasonable cause for such failure is shown, the collision shall, in the absence of proof to the contrary, be deemed to have been caused by his wrongful act, neglect, or default.

Every master or person in charge of a United States vessel who fails, without reasonable cause, to render such assistance or give such information as aforesaid shall be deemed guilty of a misdemeanor, and shall be liable to a penalty of one thousand dollars, or imprisonment for a term not exceeding two years; and for the above sum the vessel shall be liable and may be seized and proceeded against by process in any district court of the United States by any

Digitized by Google

person; one-half such sum to be payable to the informer and the other half to the United States.

Dangerous Conditions. Fog, mist, bright moonlight, coal black night, with phosphorescent sea; all are dangerous conditions so far as visibility is concerned. From three to five in the morning; at the tail of the mid watch, and for the first hour of the morning watch, when vitality is low, and the senses of man lag with the coming of the dawn; then is the time that the officer of the watch should key himself to a sense of complete responsibility—helped out by black coffee if it can be had—and every steamer should provide this at the change of watch, and oftener if need be.

Look Out. Be alive to the changes of the weather. Steamship officers are liable to lack in this respect. Watch the stars, if out. Note the sudden snuffing out of stars near the horizon—watch out for fog banks lying low ahead.

Look out for white water, squalls, get awnings in before they are blown away—never leaving the bridge, of course, unless the Master relieves.

Ice. If in the dangerous latitudes look out for ice. Note sudden changes in the temperature of air and sea. The sea water should be taken every hour at least. Ice gives no warning—sense it, and slow down before it is too late. Remember the Titanic.

Watch the barometer changes—the clouds—the wind, and its changes, whether veering, or hauling.

Important. Know the sailing ship routes—study the pilot charts—and always remember the possible speed and condition of sail, whether on the wind, or free, of sailing vessels that are liable to be met with in your vicinity.

Night Orders. The night order book contains two sets of orders:

Digitized by Google

THE STANDING ORDERS

A. Before taking charge make yourself thoroughly familiar with the position of the ship with reference to vessels in sight, any land or shoals or rocks that may be near; with the general condition of the weather, speed, revolutions, sail, if any is set, awnings, boats swung out, running lights, and the orders of the Captain for the night.

B. Make no change in the course—unless instructed to do so by the night orders, without obtaining the permission of the Captain—unless it is necessary to avoid immediate danger. Then report promptly to the Captain—by messenger or telephone.

C. Make no change in the speed, unless as directed by the night orders, or to avoid collision.

D. Report promptly to the Captain all lights upon the shore; discolored water; unusual weather conditions; and report all vessels sighted and their nature, when this can be determined. (At night, it is not usual to report every steamer passed.)

E. When in doubt about anything affecting the safety of the vessel, call the Captain at once.

F. In the event of fire, or any kind of disturbance or accident, call the Captain at once, and report same.

G. Man overboard; act at once, stop, reverse, release water lights and ring buoys, call away quarter boat, and call Captain.

H. Keep lookouts posted after dark, or in fog. Comply with all the regulations for preventing collisions at sea. Call Captain if it gets thick; start fog signals at once.

I. Report all unusual changes in sea or weather to the Captain. If engines stop, or slow down without orders from the bridge, call Captain at once.

J. Take bearings on the course whenever suitable stars are available. Call Captain at any unusual change in deviation, or error.

Digitized by Google

K. Get sights when favorable conditions present themselves. Report all fixes to the Captain, on Officers' Report Blanks, show bearings, and time (ship) and log readings.

L. All officers must read and sign these STANDING ORDERS, and must read and sign the night order book at the beginning of their watch, before taking over the course.

THE NIGHT ORDERS

The night orders are usually written up by the Master in the dog watch and are signed by the officer coming on for the first night watch, eight to midnight.

They may be amended and added to at any time. If the Master adds anything to the orders he will relieve the officer of the watch, while his added instructions are being read and initialed, if necessary.

The night orders are liable to instruct about:

Changes in the course—when—how much—what course.

Cautions as to lights and landfalls expected.

Cautions as to vessels to be met.

Cautions as to weather changes.

Instructions as to calling of Captain, Chief Mate, etc.

Instructions as to getting under way, calling officers, men, (when at anchor).

Instructions as to navigation—sights—bearings.

The Deck. Where the Chief Mate stands a bridge watch, the officer of the watch is generally considered to be in charge of the men on deck, though they may be engaged at work under the boatswain—work laid out by the Chief Mate. This, however, is largely a matter of organization. If the vessel is small, the officer of the watch can keep an eye on things from the bridge. If he needs assistance of

Digitized by Google

any kind he calls for it. He directs the taking in of awnings, and sails, if carried, the turning of ventilators, the closing of the cowls in case of rain.

Fire. In the event of fire:

CALL THE CAPTAIN, if a junior officer, call the Chief Mate also.

At the same time sound the fire alarms.

The usual fire drill then takes place.

The vessel is turned over to the Captain as soon as fire is reported and the officer of the watch attends at the fire or does as he is directed by the Captain. The Chief Engineer should also be informed of the fire, and the engineer on watch is advised of it by telephone or by voice tube.

The wireless operators are advised at once and await the orders of the Captain, except in case of sudden disaster, when they at once send out their calls for assistance.

Being Overtaken. When your vessel is being overtaken, set off flare-up and call Captain at once. On many slow cargo steamers a lookout astern is almost as necessary as a lookout ahead.

Running Lights. In narrow waters have oil lamps trimmed and ready for use, in case the electric lights give out. This is very important.

In War Zone. The standing of watches in the war zone is subject to special precautions.

The following recommendations have been published by the Supervising Inspector General:

Recommendations.

Reliable information is to the effect that many or nearly all of the lives that have been lost from vessels after attack has been due to the fact that, in many instances, the boats have been launched while the ship has had considerable way, either ahead or astern, and that

Digitized by Google

engineers have been compelled to abandon the engine room while the engines were still working.

It is suggested, therefore, that the bridge watch, or the master, assure themselves, if possible, that the engines are at rest and the way off the vessel before the boats are launched. It is also strongly recommended that, due to the possibility of the boats on the weather side of the ship not being available, the full lifeboat capacity on cargo ships be carried on each side so that full capacity may be available at all times.

It is strongly and earnestly recommended that on all vessels entering the War Zone, or the dangerous areas, the passengers and crew be kept fully prepared (so far as may be possible or the navigation of the vessel permits), for speedy and immediate disembarking, or abandoning ship in case of emergency, and that the crew be furnished with life preservers of such character as to allow the free use of the arms in rowing and boat launching. All should be warmly clad without unnecessary or hindering incumbrance.

The requirements and suggestions herein set forth should be met promptly and generously, and it is expected that all concerned will cooperate in making better and safer conditions in the nagivation of dangerous areas. Local inspectors, however, will not unnecessarily delay vessels from proceeding on their voyage to ports of the Allied Governments if it is not possible to meet these requirements previous to the appointed time of departure.

GEO. UHLER,
Supervising Inspector General.

Zig-zag. The great utility of zig-zagging is recognized. The Zig-zag control apparatus, marketed by Captain Arthur N. McGray of New York, has special advantages, and watch officers should master its use.

Bearings. Get bearings, **bow and beam, two point,** or **cross,** at every opportunity. Get **vertical angles, horizontal angles, tangents,** wherever possible. **Fix** the vessel as often as you can.

If the vessel carried a three-armed protractor, get the horizontal angles between any three objects that are visible, and

Digitized by Google

favorably situated with reference to the vessel, and are plotted on the chart.

Lights. See all light houses, and light ships, when you expect to, or call the Captain.

Azimuths—Amplitudes. Get azimuths and amplitudes at every favorable opportunity and see the results carefully entered in the deviation log, so the Captain can inspect them.

Sights. Get sights as often as possible on the watch. With clear horizon at twilight, get stars east and west, and north and south. Such a fix is often most important. Check up all dead reckoning by observations.

Hydrographic Reports. The report blanks furnished by the Hydrographic Office should be carefully filled out and forwarded. This duty is usually given to one of the junior officers.

Pilot Charts. The officer on watch can very profitably occupy his mind in studying the pilot charts furnished by the U. S. Hydrographic Office, they yield much useful data, and are specially useful in warning of the existence of derelicts, and their possible drift.

Derelicts. Trace out all derelicts shown in your path with their possible drift since last report. Always keep a sharp lookout for them, whether on the pilot chart or not.

Bridge. Many bridges are fitted with comfortable shelters at the wings—others with elaborate enclosures. A simple work desk should be provided, when only one officer is on watch, so he can work out bearings, etc., while on the bridge, facing ahead.

Digitized by Google

Useful Desk. The desk also serves as a handy table for his sextant, or for a cup of hot coffee—cabin style.

Quartermasters. Quartermasters are usually carried, and they are under the immediate charge of the officer of the watch. The care of the bridge, its neat and shipshape appearance, reflects credit, or otherwise, on the watch officers.

Bridge Etiquette. The etiquette of the bridge, in the Merchant Service, especially on the large liners, is as formal and stiff as that on any battleship. The heights of responsibility are always on high tension. In the lesser trades, on tramps and the like, officers are more lax, though they should be no less vigilant.

Salutes are given and returned (on the liners) and uniform is worn.

Relieving officer should be on bridge at least five minutes before eight bells.

Commissions M. M. The British Merchant Service is at the present time strongly advocating commissions, by the Government, for Merchant Marine Officers. With our Shipping Board, and with the growing control by military and naval authorities over merchantmen, some such plan might be advisable for American Merchant Marine Officers, and would undoubtedly help to elevate the standards, and bring the naval and mercantile services into closer harmony.

Standard Uniform. The British Merchant Service associations are also agitating the question of some sort of standard uniform for merchant service, officers and men.

This is a good idea, and should be adopted by Americans. The writer, however, would not advise the adoption of the naval blouse. This is the property of the U. S. Navy. Merchant officers, if they adopt any sort of uniform, should provide themselves with something having pockets, and a roll collar, and less on the order of a princess gown.

Digitized by Google

Conclusion. The watch officers of a vessel should be as familiar as possible with the handling qualities of their vessel:

Her turning circle.

Her quickest turn—usually both screws ahead.

Her shortest turn—inner screw slow astern and the way her head scends, under all conditions.

See that the course is kept religiously—use small helm, be quick and courteous. Keep a sharp lookout for signals when passing craft at sea—Call Captain—and reply smartly.

THE WATCH OFFICER—IN PORT

While in port, merchant ships, except the larger liners, do not indulge in the luxury of an officer of the watch, in fact such a gentleman would be out of place with his telescope under his arm, dodging drafts of cargo, and listening to the repartee of the stevedores. Everything in its place, and as common sense rules in the long run, the formalities of the merchant service have settled down to the more simple courtesies of life.

A quartermaster should be on gangway watch, cleanly dressed, or in uniform, if it is worn, to see that only those who have business on board are admitted to the ship. He should salute the officers, who will return it.

On Sundays, and Holidays, when cargo is not being worked, and when the ship is at rest, an officer should be told off to stand day's duty. He should see that the vessel is in shipshape order, falls neatly coiled, decks clean, Irish pendants all removed, awnings hauled out taut, flags closely mast headed and kept clear, and that everything is kept in immaculate order about the gangway. He should not allow loitering about the gangway.

Digitized by Google

CHAPTER

THE RULES OF

INTERNATIONAL RULES

I. ENACTING CLAUSE, SCOPE, AND PENALTY

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following regulations for preventing collisions at sea shall be followed by all public and private vessels of the United States upon the high seas and in all waters connected therewith, navigable by seagoing vessels.

ARTICLE 30. Nothing in these rules shall interfere with the operation of a special rule, duly made by local authority, relative to the navigation of any harbor, river, or inland waters.

Digitized by Google

XVIII

THE ROAD

INLAND RULES

I. ENACTING CLAUSE, SCOPE, AND PENALTY.

Whereas the provisions of chapter eight hundred and two of the laws of eighteen hundred and ninety, and the amendments thereto, adopting regulations for preventing collisions at sea [i.e., international rules of left-hand column], apply to all waters of the United States connected with the high seas navigable by sea-going vessels, except so far as the navigation of any harbor, river, or inland waters is regulated by special rules duly made by local authority; and

Whereas it is desirable that the regulations relating to the navigation of all harbors, rivers, and inland waters of the United States, except the Great Lakes and their connecting and tributary waters as far east as Montreal and the Red River of the North and rivers emptying into the Gulf of Mexico and their tributaries, shall be stated in one act: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following regulations for preventing collisions shall be followed by all vessels navigating all harbors, rivers, and inland waters of the United States, except the Great Lakes and their connecting and tributary waters as far east as Montreal and the Red River of the North and rivers emptying into the Gulf of Mexico and their tributaries, and are hereby declared special rules duly made by local authority:

SEC. 3. That every pilot, engineer, mate, or master of any steam vessel, and every master or mate of any barge or canal boat, who neglects or refuses to observe the provisions of this act, or the regulations established in pursuance of the preceding section [see section 2, page 193], shall be liable to a penalty of fifty dollars, and for all

Digitized by Google

INTERNATIONAL RULES

PRELIMINARY DEFINITIONS

In the following rules every steam vessel which is under sail and not under steam is to be considered a sailing vessel, and every vessel under steam, whether under sail or not, is to be considered a steam vessel.

The words "steam vessel" shall include any vessel propelled by machinery.

A vessel is "under way," within the meaning of these rules, when she is not at anchor, or made fast to the shore, or aground.

II. LIGHTS, AND SO FORTH

The word "visible" in these rules when applied to lights shall mean visible on a dark night with a clear atmosphere.

ARTICLE 1. The rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights shall be exhibited.

Steam vessels—masthead light.

ART. 2. A steam vessel when under way shall carry—(*a*) On or in front of the foremast, or if a vessel without a foremast, then in the fore part of the vessel, at a height above the hull of not less than twenty feet, and if the breadth of the vessel exceeds twenty feet, then at a height above the hull not less than such breadth, so, however, that the light need not be carried at a greater height above the hull than

Digitized by Google

damages sustained by ny passenger in his person or baggage by such neglect or refusal: Provided, That nothing herein shall relieve any vessel, owner, or corporation from any liability incurred by reason of such neglect or refusal.

SEC. 4. That every vessel that shall be navigated without complying with the provisions of this act shall be liable to a penalty of two hundred dollars, one-half to go to the informer, for which sum the vessel so navigated shall be liable and may be seized and proceeded against by action in any district court of the United States having jurisdiction of the offense.

PRELIMINARY DEFINITIONS

In the following rules every steam vessel which is under sail and not under steam is to be considered a sailing vessel, and every vessel under steam, whether under sail or not, is to be considered a steam vessel.

The words "steam vessel" shall include any vessel propelled by machinery.

A vessel is "under way," within the meaning of these rules, when she is not at anchor, or made fast to the shore, or aground.

II. LIGHTS AND SO FORTH

The word "visible" in these rules, when applied to lights, shall mean visible on a dark night with a clear atmosphere.

ARTICLE 1. The rules concerning lights shall be complied with in all weathers from sunset to sunrise, and during such time no other lights which may be mistaken for the prescribed lights shall be exhibited.

Steam vessels—masthead light.

ART. 2. A steam vessel when under way shall carry—(*a*) On or in the front of the foremast, or if a vessel without a foremast, then in the fore part of the vessel, a bright white light so constructed as to show an unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the vessel, namely, from right ahead to two points abaft the beam

Digitized by Google

forty feet, a bright white light, so constructed as to show an unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the vessel, namely, from right ahead to two points abaft the beam on either side, and of such a character as to be visible at a distance of at least five miles.

Steam vessels—side lights.

(*b*) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least two miles.

(*c*) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible at a distance of at least two miles.

(*d*) The said green and red side lights shall be fitted with inboard screens projecting at least three feet forward from the light, so as to prevent these lights from being seen across the bow.

Steam vessels—range lights.

(*e*) A steam vessel when under way may carry an additional white light similar in construction to the light mentioned in subdivision (*a*). These two lights shall be so placed in line with the keel that one shall be at least fifteen feet higher than the other, and in such a position with reference to each other that the lower light shall be forward of the upper one. The vertical distance between these lights shall be less than the horizontal distance.

Digitized by Google

on either side, and of such a character as to be visible at a distance of at least five miles.

Steam vessels—side lights.

(*b*) On the starboard side a green light so constructed as to show an unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible at a distance of at least two miles.

(*c*) On the port side a red light so constructed as to show an unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible at a distance of at least two miles.

(*d*) The said green and red side lights shall be fitted with inboard screens projecting at least three feet forward from the light, so as to prevent these lights from being seen across the bow.

Steam vessels—range lights.

(*e*) A seagoing steam vessel when under way may carry an additional white light similar in construction to the light mentioned in subdivision (*a*). These two lights shall be so placed in line with the keel that one shall be at least fifteen feet higher than the other, and in such a position with reference to each other that the lower light shall be forward of the upper one. The vertical distance between these lights shall be less than the horizontal distance.

(*f*) All steam vessels (except seagoing vessels and ferryboats), shall carry in addition to green and red lights required by article two (*b*), (*c*), and screens as required by article two (*d*), a central range of two white lights; the after light being carried at an elevation at least fifteen feet above the light at the head of the vessel. The headlight shall be so constructed as to show an unbroken light through twenty points of the compass, namely, from right ahead to two points abaft the beam on either side of the vessel, and the after light so as to show all around the horizon.

Digitized by Google

INTERNATIONAL RULES

Steam vessels when towing.

ART. 3. A steam vessel when towing another vessel shall, in addition to her side lights, carry two bright white lights in a vertical line one over the other, not less than six feet apart, and when towing more than one vessel shall carry an additional bright white light six feet above or below such lights, if the length of the tow measuring from the stern of the towing vessel to the stern of the last vessel towed exceeds six hundred feet. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white light mentioned in article two (*a*), excepting the additional light, which may be carried at a height of not less than fourteen feet above the hull.

Such steam vessel may carry a small white light abaft the funnel or aftermast for the vessel towed to steer by, but such light shall not be visible forward of the beam.

Special lights.

ART. 4. (*a*) A vessel which from any accident is not under command shall carry at the same height as a white light mentioned in article two (*a*), where they can best be seen, and if a steam vessel in lieu of that light two red lights, in a vertical line one over the other, not less than six feet apart, and of such a character as to be visible all around the horizon at a distance of at least two miles; and shall by day carry in a vertical line one over the other, not less than six feet apart, where they can best be seen, two black balls or shapes, each two feet in diameter.

(*b*) A vessel employed in laying or in picking up a telegraph cable shall carry in the same position as the white light mentioned in article two (*a*), and if a steam vessel in lieu of that light three lights in a vertical line one over the other not less than six feet apart. The highest and lowest of these lights shall be red, and the middle light shall be white, and they shall be of such a character as to be visible all around the horizon, at a distance of at least two miles. By day she shall carry in a vertical line, one over the other, not less than six feet apart, where they can best be seen, three shapes not less than two feet in diameter, of which the highest and lowest shall be globular in shape and red in color, and the middle one diamond in shape and white.

Digitized by Google

INLAND RULES

Steam vessels when towing.

ART. 3. A steam vessel when towing another vessel shall, in addition to her side lights, carry two bright white lights in a vertical line one over the other, not less than three feet apart, and when towing more than one vessel shall carry an additional bright white light three feet above or below such lights, if the length of the tow measuring from the stern of the towing vessel to the stern of the last vessel towed exceeds six hundred feet. Each of these lights shall be of the same construction and character, and shall be carried in the same position as the white light mentioned in article two (*a*) or the after range light mentioned in article two (*f*).

Such steam vessel may carry a small white light abaft the funnel or aftermast for the vessel towed to steer by, but such light shall not be visible forward of the beam.

Digitized by Google

(*c*) The vessels referred to in this article, when not making way through the water, shall not carry the side lights, but when making way shall carry them.

(*d*) The lights and shapes required to be shown by this article are to be taken by other vessels as signals that the vessel showing them is not under command and can not therefore get out of the way.

These signals are not signals of vessels in distress and requiring assistance. Such signals are contained in article thirty-one.

Lights for sailing vessels and vessels in tow.

ART. 5. A sailing vessel under way and any vessel being towed shall carry the same lights as are prescribed by article two for a steam vessel under way, with the exception of the white lights mentioned therein, which they shall never carry.

Lights for small vessels.

ART. 6. Whenever, as in the case of small vessels under way during bad weather, the green and red side lights can not be fixed, these lights shall be kept at hand, lighted and ready for use; and shall, on the approach of or to other vessels, be exhibited on their

Digitized by Google

INLAND RULES

Lights for sailing vessels and vessels in tow.

ART. 5. A sailing vessel under way or being towed shall carry the same lights as are prescribed by article two for a steam vessel under way, with the exception of the white lights mentioned therein, which they shall never carry.

Lights for ferryboats, barges, and canal boats in tow.

SEC. 2. That the supervising inspectors of steam vessels and the Supervising Inspector-General shall establish such rules to be observed by steam vessels in passing each other and as to the lights to be carried by ferryboats and by barges and canal boats when in tow of steam vessels (and as to the lights and day signals to be carried by vessels, dredges of all types, and vessels working on wrecks by [or] other obstruction to navigation or moored for submarine operations, or made fast to a sunken object which may drift with the tide or be towed) not inconsistent with the provisions of this act, as they from time to time may deem necessary for safety, which rules when approved by the Secretary of Commerce are hereby declared special rules duly made by local authority, as provided for in article thirty of chapter eight hundred and two of the laws of eighteen hundred and ninety. Two printed copies of such rules shall be furnished to such ferryboats (barges, dredges, canal boats, vessels working on wrecks) and steam vessels, which rules shall be kept posted up in conspicuous places in such vessels (barges, dredges, and boats).

Lights for small vessels.

ART. 6. Whenever, as in the case of vessels of less than ten gross tons under way during bad weather, the green and red side lights can not be fixed, these lights shall be kept at hand, lighted and ready for use; and shall, on the approach of or to other vessels, be exhibited

Digitized by Google

respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor, if practicable, more than two points abaft the beam on their respective sides. To make the use of these portable lights more certain and easy the lanterns containing them shall each be painted outside with the color of the light they respectively contain, and shall be provided with proper screens.

Lights for small steam and sail vessels and open boats.

ART. 7. Steam vessels of less than forty, and vessels under oars or sails of less than twenty tons gross tonnage, respectively, and rowing boats, when under way, shall not be required to carry the lights mentioned in article two (*a*), (*b*), and (*c*), but if they do not carry them they shall be provided with the following lights:

First. Steam vessels of less than forty tons shall carry—

(*a*) In the fore part of the vessel, or on or in front of the funnel, where it can best be seen, and at a height above the gunwale of not less than nine feet, a bright white light constructed and fixed as prescribed in article two (*a*), and of such a character as to be visible at a distance of at least two miles.

(*b*) Green and red side lights constructed and fixed as prescribed in article two (*b*) and (*c*), and of such a character as to be visible at a distance of at least one mile, or a combined lantern showing a green light and a red light from right ahead to two points abaft the beam on their respective sides. Such lanterns shall be carried not less than three feet below the white light.

Second. Small steamboats, such as are carried by seagoing vessels, may carry the white light at a less height than nine feet above the gunwale, but it shall be carried above the combined lantern mentioned in subdivision one (*b*).

Third. Vessels under oars or sails of less than twenty tons shall have ready at hand a lantern with a green glass on one side and a red glass on the other, which, on the approach of or to other vessels, shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side.

Fourth. Rowing boats, whether under oars or sail, shall have

Digitized by Google

on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side nor the red light on the starboard side, nor, if practicable, more than two points abaft the beam on their respective sides. To make the use of these portable lights more certain and easy the lanterns containing them shall each be painted outside with the color of the light they respectively contain, and shall be provided with proper screens.

ART. 7. Rowing boats, whether under oars or sail, shall have ready at hand a lantern showing a white light which shall be temporarily exhibited in sufficient time to prevent collision.

Digitized by Google

ready at hand a lantern showing a white light which shall be temporarily exhibited in sufficient time to prevent collision.

The vessels referred to in this article shall not be obliged to carry the lights prescribed by article four (*a*) and article eleven, last paragraph.

Lights for pilot vessels.

ART. 8. Pilot vessels when engaged on their station on pilotage duty shall not show the lights required for other vessels, but shall carry a white light at the masthead, visible all around the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed fifteen minutes.

On the near approach of or to other vessels they shall have their side lights lighted, ready for use, and shall flash or show them at short intervals, to indicate the direction in which they are heading, but the green light shall not be shown on the port side, nor the red light on the starboard side.

A pilot vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show the white light instead of carrying it at the masthead, and may, instead of the colored lights above mentioned, have at hand, ready for use, a lantern with green glass on the one side and red glass on the other, to be used as prescribed above.

Pilot vessels when not engaged on their station on pilotage duty shall carry lights similar to those of other vessels of their tonnage.

A steam pilot vessel, when engaged on her station on pilotage duty and in the waters of the United States, and not at anchor, shall, in addition to the lights required for all pilot boats, carry at a distance of eight feet below her white masthead light a red light, visible all around the horizon and of such a character as to be visible on a dark night with a clear atmosphere at a distance of at least two miles, and also the colored side lights required to be carried by vessels when under way.

When engaged on her station on pilotage duty and in waters of the United States, and at anchor, she shall carry in addition to the lights required for all pilot boats the red light above mentioned, but not the colored side lights. When not engaged on her station on pilotage duty, she shall carry the same lights as other steam vessels.

Digitized by Google

INLAND RULES

Lights for pilot vessels.

ART. 8. Pilot vessels when engaged on their stations on pilotage duty shall not show the lights required for other vessels, but shall carry a white light at the masthead, visible all around the horizon, and shall also exhibit a flare-up light or flare-up lights at short intervals, which shall never exceed fifteen minutes.

On the near approach of or to other vessels they shall have their side lights lighted, ready for use, and shall flash or show them at short intervals, to indicate the direction in which they are heading, but the green light shall not be shown on the port side nor the red light on the starboard side.

A pilot vessel of such a class as to be obliged to go alongside of a vessel to put a pilot on board may show the white light instead of carrying it at the masthead, and may, instead of the colored lights above mentioned, have at hand, ready for use, a lantern with a green glass on the one side and a red glass on the other, to be used as prescribed above.

Pilot vessels, when not engaged on their station on pilotage duty, shall carry lights similar to those of other vessels of their tonnage.

A steam pilot vessel, when engaged on her station on pilotage duty and in waters of the United States, and not at anchor, shall, in addition to the lights required for all pilot boats, carry at a distance of eight feet below her white masthead light a red light, visible all around the horizon and of such a character as to be visible on a dark night with a clear atmosphere at a distance of at least two miles, and also the colored side lights required to be carried by vessels when under way.

When engaged on her station on pilotage duty and in waters of the United States, and at anchor, she shall carry in addition to the lights required for all pilot boats the red light above mentioned, but not the colored side lights. When not engaged on her station on pilotage duty, she shall carry the same lights as other steam vessels.

Digitized by Google

INTERNATIONAL RULES

Lights, etc., of fishing vessels.

ART. 9. Fishing vessels and fishing boats, when under way and when not required by this article to carry or show the lights hereinafter specified, shall carry or show the lights prescribed for vessels of their tonnage under way.

(*a*) Open boats, by which it is to be understood boats not protected from the entry of sea water by means of a continuous deck, when engaged in any fishing at night, with outlying tackle extending not more than one hundred and fifty feet horizontally from the boat into the seaway, shall carry one all-round white light.

Open boats, when fishing at night, with outlying tackle extending more than one hundred and fifty feet horizontally from the boat into the seaway, shall carry one all-round white light, and in addition, on approaching or being approached by other vessels, shall show a second white light at least three feet below the first light and at a horizontal distance of at least five feet away from it in the direction in which the outlying tackle is attached.

(*b*) Vessels and boats, except open boats as defined in subdivision (*a*), when fishing with drift nets, shall, so long as the nets are wholly or partly in the water, carry two white lights where they can best be seen. Such lights shall be placed so that the vertical distance between them shall be not less than six feet and not more than fifteen feet, and so that the horizontal distance between them, measured in a line with the keel, shall be not less than five feet and not more than ten feet. The lower of these two lights shall be in the direction of the nets, and both of them shall be of such a character as to show all around the horizon, and to be visible at a distance of not less than three miles.

Within the Mediterranean Sea and in the seas bordering the coasts of Japan and Korea sailing fishing vessels of less than twenty tons gross tonnage shall not be obliged to carry the lower of these two lights. Should they, however, not carry it, they shall show in the same position (in the direction of the net or gear) a white light, visible at a distance of not less than one sea mile, on the approach of or to other vessels.

(*c*) Vessels and boats, except open boats as defined in subdivision (*a*), when line fishing with their lines out and attached to or hauling their lines, and when not at anchor or stationary within the mean-

Digitized by Google

INLAND RULES

Lights, etc., of fishing vessels.

ART. 9. (*a*) Fishing vessels of less than ten gross tons, when under way and when not having their nets, trawls, dredges, or lines in the water, shall not be obliged to carry the colored side lights; but every such vessel shall, in lieu thereof, have ready at hand a lantern with a green glass on one side and a red glass on the other side, and on approaching to or being approached by another vessel such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side nor the red light on the starboard side.

(*b*) All fishing vessels and fishing boats of ten gross tons or upward, when under way and when not having their nets, trawls, dredges, or lines in the water, shall carry and show the same lights as other vessels under way.

(*c*) All vessels, when trawling, dredging, or fishing with any kind of drag nets or lines, shall exhibit, from some part of the vessel where they can be best seen, two lights. One of these lights shall be red and the other shall be white. The red light shall be above the white light, and shall be at a vertical distance from it of not less than six feet and not more than twelve feet; and the horizontal distance between them, if any, shall not be more than ten feet. These two lights shall be of such a character and contained in lanterns of such construction as to be visible all round the horizon, the white light a distance of not less than three miles and the red light of not less than two miles.

Lights for rafts or other craft not provided for.

(*d*) Rafts, or other water craft not herein provided for, navigating by hand power, horse power, or by the current of the river, shall carry one or more good white lights, which shall be placed in such manner as shall be prescribed by the Board of Supervising Inspectors of Steam Vessels.

Digitized by Google

ing of subdivision (*h*), shall carry the same lights as vessels fishing with drift nets. When shooting lines, or fishing with towing lines, they shall carry the lights prescribed for a steam or sailing vessel under way, respectively.

Within the Mediterranean Sea and in the seas bordering the coast of Japan and Korea sailing fishing vessels of less than twenty tons gross tonnage shall not be obliged to carry the lower of these two lights. Should they, however, not carry it, they shall show in the same position (in the direction of the lines) a white light, visible at a distance of not less than one sea mile on the approach of or to other vessels.

(*d*) Vessels when engaged in trawling, by which is meant the dragging of an apparatus along the bottom of the sea—

First. If steam vessels, shall carry in the same position as the white light mentioned in article two (*a*) a tri-colored lantern so constructed and fixed as to show a white light from right ahead to two points on each bow; and a green light and a red light over an arc of the horizon from two points on each bow to two points abaft the beam on the starboard and port sides, respectively; and not less than six nor more than twelve feet below the tri-colored lantern a white light in a lantern, so constructed as to show a clear, uniform, and unbroken light all around the horizon.

Second. If sailing vessels, shall carry a white light in a lantern, so constructed as to show a clear, uniform, and unbroken light all around the horizon, and shall also, on the approach of or to other vessels, show where it can best be seen a white flare-up light or torch in sufficient time to prevent collision.

All lights mentioned in subdivision (*d*) first and second shall be visible at a distance of at least two miles.

(*e*) Oyster dredgers and other vessels fishing with dredge nets shall carry and show the same lights as trawlers.

(*f*) Fishing vessels and fishing boats may at any time use a flare-up light in addition to the lights which they are by this article required to carry and show, and they may also use working lights.

(*g*) Every fishing vessel and every fishing boat under one hundred and fifty feet in length, when at anchor, shall exhibit a white light visible all around the horizon at a distance of at least one mile.

Every fishing vessel of one hundred and fifty feet in length or

Digitized by Google

INLAND RULES

Digitized by Google

upward, when at anchor, shall exhibit a white light visible all around the horizon at a distance of at least one mile, and shall exhibit a second light as provided for vessels of such length by article eleven.

Should any such vessel, whether under one hundred and fifty feet in length or of one hundred and fifty feet in length or upward, be attached to a net or other fishing gear, she shall on the approach of other vessels show an additional white light at least three feet below the anchor light, and at a horizontal distance of at least five feet away from it in the direction of the net or gear.

(*h*) If a vessel or boat when fishing becomes stationary in consequence of her gear getting fast to a rock or other obstruction, she shall in daytime haul down the day signal required by subdivision (*k*); at night show the light or lights prescribed for a vessel at anchor; and during fog, mist, falling snow, or heavy rain storms make the signal prescribed for a vessel at anchor. (See subdivision (*d*) and the last paragraph of article fifteen.)

(*i*) In fog, mist, falling snow, or heavy rain storms drift-net vessels attached to their nets, and vessels when trawling, dredging, or fishing with any kind of drag net, and vessels line fishing with their lines out, shall, if of twenty tons gross tonnage or upward, respectively, at intervals of not more than one minute make a blast; if steam vessels, with the whistle or siren, and if sailing vessels, with the fog-horn, each blast to be followed by ringing the bell. Fishing vessels and boats of less than twenty tons gross tonnage shall not be obliged to give the above-mentioned signals; but if they do not, they shall make some other efficient sound signal at intervals of not more than one minute.

(*k*) All vessels or boats fishing with nets or lines or trawls, when under way, shall in daytime indicate their occupation to an approaching vessel by displaying a basket or other efficient signal where it can best be seen. If vessels or boats at anchor have their gear out, they shall, on the approach of other vessels, show the same signal on the side on which those vessels can pass.

The vessels required by this article to carry or show the lights hereinbefore specified shall not be obliged to carry the lights prescribed by article four (*a*) and the last paragraph of article eleven.

Digitized by Google

INLAND RULES

Digitized by Google

INTERNATIONAL RULES

Lights for an overtaken vessel.

ART. 10. A vessel which is being overtaken by another shall show from her stern to such last-mentioned vessel a white light or a flare-up light.

The white light required to be shown by this article may be fixed and carried in a lantern, but in such case the lantern shall be so constructed, fitted, and screened that it shall throw an unbroken light over an arc of the horizon of twelve points of the compass, namely, for six points from right aft on each side of the vessel, so as to be visible at a distance of at least one mile. Such light shall be carried as nearly as practicable on the same level as the side lights.

Anchor lights.

ART. 11. A vessel under one hundred and fifty feet in length when at anchor shall carry forward, where it can best be seen, but at a height not exceeding twenty feet above the hull, a white light, in a lantern so constructed as to show a clear, uniform, and unbroken light visible all around the horizon at a distance of at least one mile.

A vessel of one hundred and fifty feet or upwards in length when at anchor shall carry in the forward part of the vessel, at a height of not less than twenty and not exceeding forty feet above the hull, one such light, and at or near the stern of the vessel, and at such a height that it shall be not less than fifteen feet lower than the forward light, another such light.

The length of a vessel shall be deemed to be the length appearing in her certificate of registry.

A vessel aground in or near a fairway shall carry the above light or lights and the two red lights prescribed by article four (*a*).

Special signals.

ART. 12. Every vessel may, if necessary in order to attract attention, in addition to the lights which she is by these rules required to carry, show a flare-up light or use any detonating signal that can not be mistaken for a distress signal.

Naval lights and recognition signals.

ART. 13. Nothing in these rules shall interfere with the operation of any special rules made by the Government of any nation with

Digitized by Google

INLAND RULES

Lights for an overtaken vessel.

ART. 10. A vessel which is being overtaken by another, except a steam vessel with an after range light showing all around the horizon, shall show from her stern to such last-mentioned vessel a white light or a flare-up light.

Anchor lights.

ART. 11. A vessel under one hundred and fifty feet in length when at anchor shall carry forward, where it can best be seen, but at a height not exceeding twenty feet above the hull, a white light, in a lantern so constructed as to show a clear, uniform, and unbroken light visible all around the horizon at a distance of at least one mile.

A vessel of one hundred and fifty feet or upwards in length when at anchor shall carry in the forward part of the vessel, at a height of not less than twenty and not exceeding forty feet above the hull, one such light, and at or near the stern of the vessel, and at such a height that it shall be not less than fifteen feet lower than the forward light, another such light.

The length of a vessel shall be deemed to be the length appearing in her certificate of registry.

Special Signals.

ART. 12. Every vessel may, if necessary, in order to attract attention, in addition to the lights which she is by these rules required to carry, show a flare-up light or use any detonating signal that can not be mistaken for a distress signal.

Naval lights and recognition signals.

ART. 13. Nothing in these rules shall interfere with the operation of any special rules made by the Government of any nation with

Digitized by Google

respect to additional station and signal lights for two or more ships of war or for vessels sailing under convoy, or with the exhibition of recognition signals adopted by shipowners, which have been authorized by their respective Governments and duly registered and published.

Steam vessel under sail by day.

ART. 14. A steam vessel proceeding under sail only, but having her funnel up, shall carry in daytime, forward, where it can best be seen, one black ball or shape two feet in diameter.

III. SOUND SIGNALS FOR FOG, AND SO FORTH

Preliminary.

ART. 15. All signals prescribed by this article for vessels under way shall be given:

First. By "steam vessels" on the whistle or siren.

Second. By "sailing vessels" and "vessels towed" on the fog horn.

The words "prolonged blast" used in this article shall mean a blast of from four to six seconds duration.

A steam vessel shall be provided with an efficient whistle or siren, sounded by steam or by some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog horn, to be sounded by mechanical means, and also with an efficient bell. In all cases where the rules require a bell to be used a drum may be substituted on board Turkish vessels, or a gong where such articles are used on board small seagoing vessels. A sailing vessel of twenty tons gross tonnage or upward shall be provided with a similar fog horn and bell.

In a fog, mist, falling snow, or heavy rain storms, whether by day or night, the signals described in this article shall be used as follows, namely:

Steam vessel under way.

(*a*) A steam vessel having way upon her shall sound, at intervals of not more than two minutes, a prolonged blast.

(*b*) A steam vessel under way, but stopped, and having no way

Digitized by Google

respect to additional station and signal lights for two or more ships of war or for vessels sailing under convoy, or with the exhibition of recognition signals adopted by shipowners, which have been authorized by their respective Governments, and duly registered and published.

Steam vessel under sail by day.

ART. 14. A steam vessel proceeding under sail only, but having her funnel up, may carry in daytime, forward, where it can best be seen, one black ball or shape two feet in diameter.

III. SOUND SIGNALS FOR FOG, AND SO FORTH

Preliminary.

ART. 15. All signals prescribed by this article for vessels under way shall be given:

1. By "steam vessels" on the whistle or siren.
2. By "sailing vessels" and "vessels towed" on the fog horn.

The words "prolonged blast" used in this article shall mean a blast of from four to six seconds duration.

A steam vessel shall be provided with an efficient whistle or siren, sounded by steam or by some substitute for steam, so placed that the sound may not be intercepted by any obstruction, and with an efficient fog horn; also with an efficient bell. A sailing vessel of twenty tons gross tonnage or upward shall be provided with a similar fog horn and bell.

In ıog, mist, falling snow, or heavy rain storms, whether by day or night, the signals described in this article shall be used as follows, namely:

Steam vessel under way.

(*a*) A steam vessel under way shall sound, at intervals of not more than one minute, a prolonged blast.

Digitized by Google

upon her, shall sound, at intervals of not more than two minutes, two prolonged blasts, with an interval of about one second between.

Sail vessel under way.

(*c*) A sailing vessel under way shall sound, at intervals of not more than one minute, when on the starboard tack, one blast; when on the port tack, two blasts in succession, and when with the wind abaft the beam, three blasts in succession.

Vessels at anchor or not under way.

(*d*) A vessel when at anchor shall, at intervals of not more than one minute, ring the bell rapidly for about five seconds.

Vessels towing or towed.

(*e*) A vessel when towing, a vessel employed in laying or in picking up a telegraph cable, and a vessel under way, which is unable to get out of the way of an approaching vessel through being not under command, or unable to maneuver as required by the rules, shall, instead of the signals prescribed in subdivisions (*a*) and (*c*) of this article, at intervals of not more than two minutes, sound three blasts in succession, namely: One prolonged blast followed by two short blasts. A vessel towed may give this signal and she shall not give any other.

Small sailing vessels and boats.

Sailing vessels and boats of less than twenty tons gross tonnage shall not be obliged to give the above-mentioned signals, but, if they do not, they shall make some other efficient sound signal at intervals of not more than one minute.

Speed in fog.

ART. 16. Every vessel shall, in a fog, mist, falling snow, or heavy rain storms, go at a moderate speed, having careful regard to the existing circumstances and conditions.

A steam vessel hearing, apparently forward of her beam, the fog signal of a vessel the position of which is not ascertained shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

Digitized by Google

INLAND RULES

Sail vessel under way.

(*c*) A sailing vessel under way shall sound, at intervals of not more than one minute, when on the starboard tack, one blast; when on the port tack, two blasts in succession, and when with the wind abaft the beam, three blasts in succession.

Vessels at anchor or not under way.

(*d*) A vessel when at anchor shall, at intervals of not more than one minute, ring the bell rapidly for about five seconds.

Vessels towing or towed.

(*e*) A steam vessel when towing, shall, instead of the signals prescribed in subdivision (*a*) of this article, at intervals of not more than one minute, sound three blasts in succession, namely, one prolonged blast followed by two short blasts. A vessel towed may give this signal and she shall not give any other.

Rafts, or other craft not provided for.

(*f*) All rafts or other water craft, not herein provided for, navigating by hand power, horse power, or by the current of the river, shall sound a blast of the fog horn, or equivalent signal, at intervals of not more than one minute.

Speed in fog.

ART. 16. Every vessel shall, in a fog, mist, falling snow, or heavy rain storms, go at a moderate speed, having careful regard to the existing circumstances and conditions.

A steam vessel hearing, apparently forward of her beam, the fog signal of a vessel the position of which is not ascertained shall, so far as the circumstances of the case admit, stop her engines, and then navigate with caution until danger of collision is over.

Digitized by Google

INTERNATIONAL RULES

IV. STEERING AND SAILING RULES

Preliminary.

Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

Sailing vessels.

ART. 17. When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other, as follows, namely:

(*a*) A vessel which is running free shall keep out of the way of a vessel which is closehauled.

(*b*) A vessel which is closehauled on the port tack shall keep out of the way of a vessel which is closehauled on the starboard tack.

(*c*) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.

(*d*) When both are running free, with the wind on the same side, the vessel which is to the windward shall keep out of the way of the vessel which is to the leeward.

(*e*) A vessel which has the wind aft shall keep out of the way of the other vessel.

Steam vessels.

ART. 18. When two steam vessels are meeting end on, or nearly end on, so as to involve risk of collision, each shall alter her course to starboard, so that each may pass on the port side of the other.

Digitized by Google

INLAND RULES

IV. STEERING AND SAILING RULES

Preliminary.

Risk of collision can, when circumstances permit, be ascertained by carefully watching the compass bearing of an approaching vessel. If the bearing does not appreciably change, such risk should be deemed to exist.

Sailing vessels.

ART. 17. When two sailing vessels are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other as follows, namely:

(*a*) A vessel which is running free shall keep out of the way of a vessel which is closehauled.

(*b*) A vessel which is closehauled on the port tack shall keep out of the way of a vessel which is closehauled on the starboard tack.

(*c*) When both are running free, with the wind on different sides, the vessel which has the wind on the port side shall keep out of the way of the other.

(*d*) When both are running free, with the wind on the same side, the vessel which is to the windward shall keep out of the way of the vessel which is to the leeward.

(*e*) A vessel which has the wind aft shall keep out of the way of the other vessel.

Steam vessels.

ART. 18. RULE I. When steam vessels are approaching each other head and head, that is, end on, or nearly so, it shall be the duty of each to pass on the port side of the other; and either vessel shall give, as a signal of her intention, one short and distinct blast of her whistle, which the other vessel shall answer promptly by a similar blast of her whistle, and thereupon such vessels shall pass on the port side of each other. But if the courses of such vessels are so far on the starboard of each other as not to be considered as meeting head and head, either vessel shall immediately give two short and distinct blasts of her whistle, which the other vessel shall answer promptly by two similar blasts of her whistle, and they shall pass on the starboard side of each other.

Digitized by Google

INTERNATIONAL RULES

This article only applies to cases where vessels are meeting end on, or early end on, in such a manner as to involve risk of collision, and does not apply to two vessels which must, if both keep on their respective courses, pass clear of each other.

The only cases to which it does apply are when each of the two vessels is end on, or nearly end on to the other; in other words, to cases in which, by day, each vessel sees the masts of the other in a line, or nearly in a line, with her own; and by night, to cases in which each vessel is in such a position as to see both the side lights of the other.

It does not apply by day to cases in which a vessel sees another ahead crossing her own course; or by night, to cases where the red light of one vessel is opposed to the red light of the other, or where the green light of one vessel is opposed to the green light of the other, or where a red light without a green light, or a green light without a red light, is seen ahead, or where both green and red lights are seen anywhere but ahead.

Digitized by Google

INLAND RULES

The foregoing only applies to cases where vessels are meeting end on, or nearly end on, in such a manner as to involve risk of collision; in other words, to cases in which, by day, each vessel sees the masts of the other in a line, or nearly in a line, with her own, and by night to cases in which each vessel is in such a position as to see both the side lights of the other.

It does not apply by day to cases in which a vessel sees another ahead crossing her own course, or by night to cases where the red light of one vessel is opposed to the red light of the other, or where the green light of one vessel is opposed to the green light of the other, or where a red light without a green light or a green light without a red light, is seen ahead, or where both green and red lights are seen anywhere but ahead.

RULE III. If, when steam vessels are approaching each other, either vessel fails to understand the course or intention of the other, from any cause, the vessel so in doubt shall immediately signify the same by giving several short and rapid blasts, not less than four, of the steam whistle.

RULE V. Whenever a steam vessel is nearing a short bend or curve in the channel, where, from the height of the banks or other cause, a steam vessel approaching from the opposite direction can not be seen for a distance of half a mile, such steam vessel, when she shall have arrived within half a mile of such curve or bend, shall give a signal by one long blast of the steam whistle, which signal shall be answered by a similar blast given by any approaching steam vessel that may be within hearing. Should such signal be so answered by a steam vessel upon the farther side of such bend, then the usual signals for meeting and passing shall immediately be given and answered; but, if the first alarm signal of such vessel be not answered, she is to consider the channel clear and govern herself accordingly.

When steam vessels are moved from their docks or berths, and other boats are liable to pass from any direction toward them, they shall give the same signal as in the case of vessels meeting at a bend, but immediately after clearing the berths so as to be fully in sight they shall be governed by the steering and sailing rules.

Digitized by Google

INTERNATIONAL RULES

Digitized by Google

INLAND RULES

RULE VIII. When steam vessels are running in the same direction, and the vessel which is astern shall desire to pass on the right or starboard hand of the vessel ahead, she shall give one short blast of the steam whistle, as a signal of such desire, and if the vessel ahead answers with one blast, she shall put her helm to port; or if she shall desire to pass on the left or port side of the vessel ahead, she shall give two short blasts of the steam whistle as a signal of such desire, and if the vessel ahead answers with two blasts, shall put her helm to starboard; or if the vessel ahead does not think it safe for the vessel astern to attempt to pass at that point, she shall immediately signify the same by giving several short and rapid blasts of the steam whistle, not less than four, and under no circumstances shall the vessel astern attempt to pass the vessel ahead until such time as they have reached a point where it can be safely done, when said vessel ahead shall signify her willingness by blowing the proper signals. The vessel ahead shall in no case attempt to cross the bow or crowd upon the course of the passing vessel.

RULE IX. The whistle signals provided in the rules under this article, for steam vessels meeting, passing, or overtaking, are never to be used except when steamers are in sight of each other, and the course and position of each can be determined in the daytime by a sight of the vessel itself, or by night by seeing its signal lights. In fog, mist, falling snow or heavy rain storms, when vessels can not see each other, fog signals only must be given.

Supplementary regulations.

SEC. 2. That the supervising inspectors of steam-vessels and the Supervising Inspector-General shall establish such rules to be observed by steam vessels in passing each other and as to the lights to be carried by ferryboats and by barges and canal boats when in tow of steam vessels, not inconsistent with the provisions of this act, as they from time to time may deem necessary for safety, which rules when approved by the Secretary of Commerce are hereby declared special rules duly made by local authority, as provided for in article thirty of chapter eight hundred and two of the laws of eighteen hundred and ninety. Two printed copies of such rules shall be furnished to such ferryboats and steam vessels, which rules shall be kept posted up in conspicuous places in such vessels.

Digitized by Google

INTERNATIONAL RULES

Two steam vessels crossing.

ART. 19. When two steam vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

Steam vessel shall keep out of the way of sailing vessel.

ART. 20. When a steam vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, the steam vessel shall keep out of the way of the sailing vessel.

Course and speed.

ART. 21. Where, by any of these rules, one of two vessels is to keep out of the way the other shall keep her course and speed.

NOTE.—When, in consequence of thick weather or other causes, such vessel finds herself so close that collision can not be avoided by the action of the giving-way vessel alone, she also shall take such action as will best aid to avert collision. [See articles twenty-seven and twenty-nine.]

Crossing ahead.

ART. 22. Every vessel which is directed by these rules to keep out of the way of another vessel shall, if the circumstances of the case admit, avoid crossing ahead of the other.

Steam vessel shall slacken speed or stop.

ART. 23. Every steam vessel which is directed by these rules to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed or stop or reverse.

Overtaking vessels.

ART. 24. Notwithstanding anything contained in these rules every vessel, overtaking any other, shall keep out of the way of the overtaken vessel.

Every vessel coming up with another vessel from any direction more than two points abaft her beam, that is, in such a position, with reference to the vessel which she is overtaking that at night she would be unable to see either of that vessel's side lights, shall be deemed to be an overtaking vessel; and no subsequent alteration

Digitized by Google

INLAND RULES

Two steam vessels crossing.

ART. 19. When two steam vessels are crossing, so as to involve risk of collision, the vessel which has the other on her own starboard side shall keep out of the way of the other.

Steam vessel shall keep out of the way of sailing vessel.

ART. 20. When a steam vessel and a sailing vessel are proceeding in such directions as to involve risk of collision, the steam vessel shall keep out of the way of the sailing vessel.

Course and speed.

ART. 21. Where, by any of these rules, one of the two vessels is to keep out of the way, the other shall keep her course and speed.

[See articles twenty-seven and twenty-nine.]

Crossing ahead.

ART. 22. Every vessel which is directed by these rules to keep out of the way of another vessel shall, if the circumstances of the case admit, avoid crossing ahead of the other.

Steam vessel shall slacken speed or stop.

ART. 23. Every steam vessel which is directed by these rules to keep out of the way of another vessel shall, on approaching her, if necessary, slacken her speed or stop or reverse.

Overtaking vessels.

ART. 24. Notwithstanding anything contained in these rules every vessel, overtaking any other, shall keep out of the way of the overtaken vessel.

Every vessel coming up with another vessel from any direction more than two points abaft her beam, that is, in such a position, with reference to the vessel which she is overtaking that at night she would be unable to see either of that vessel's side lights, shall be deemed to be an overtaking vessel; and no subsequent alteration of

Digitized by Google

of the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

As by day the overtaking vessel can not always know with certainty whether she is forward of or abaft this direction from the other vessel she should, if in doubt, assume that she is an overtaking vessel and keep out of the way.

Narrow channels.

ART. 25. In narrow channels every steam vessel shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such vessel.

Right of way of fishing vessels.

ART. 26. Sailing vessels under way shall keep out of the way of sailing vessels or boats fishing with nets, or lines, or trawls. This rule shall not give to any vessel or boat engaged in fishing the right of obstructing a fairway used by vessels other than fishing vessels or boats.

General prudential rule.

ART. 27. In obeying and construing these rules due regard shall be had to all dangers of navigation and collision, and to any special circumstances which may render a departure from the above rules necessary in order to avoid immediate danger.

Sound signals for passing steamers.

ART. 28. The words "short blast" used in this article shall mean a blast of about one second's duration.

When vessels are in sight of one another, a steam vessel under way, in taking any course authorized or required by these rules, shall indicate that course by the following signals on her whistle or siren, namely:

One short blast to mean, "I am directing my course to starboard."

Two short blasts to mean, "I am directing my course to port."

Three short blasts to mean, "My engines are going at full speed astern."

Digitized by Google

the bearing between the two vessels shall make the overtaking vessel a crossing vessel within the meaning of these rules, or relieve her of the duty of keeping clear of the overtaken vessel until she is finally past and clear.

As by day the overtaking vessel can not always know with certainty whether she is forward of or abaft this direction from the other vessel she should, if in doubt, assume that she is an overtaking vessel and keep out of the way.

Narrow channels.

ART. 25. In narrow channels every steam vessel shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard side of such vessel.

Right of way of fishing vessels.

ART. 26. Sailing vessels under way shall keep out of the way of sailing vessels or boats fishing with nets, or lines, or trawls. This rule shall not give to any vessel or boat engaged in fishing the right of obstructing a fairway used by vessels other than fishing vessels or boats.

General prudential rule.

ART. 27. In obeying and construing these rules due regard shall be had to all dangers of navigation and collision, and to any special circumstances which may render a departure from the above rules necessary in order to avoid immediate danger.

Sound signals for passing steamers.

[See article eighteen.]

ART. 28. When vessels are in sight of one another a steam vessel under way whose engines are going at full speed astern shall indicate that fact by three short blasts on the whistle.

Digitized by Google

INTERNATIONAL RULES

Precaution.

ART. 29. Nothing in these rules shall exonerate any vessel, or the owner or master or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper lookout, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

ART. 30. Nothing in these rules shall interfere with the operation of a special rule, duly made by local authority, relative to the navigation of any harbor. river, or inland waters.

Distress signals.

ART. 31. When a vessel is in distress and requires assistance from other vessels or from the shore the following shall be the signals to be used or displayed by her, either together or separately, namely:

In the daytime—

First. A gun or other explosive signal fired at intervals of about a minute.

Second. The international code signal of distress indicated by N C.

Third. The distance signal, consisting of a square flag, having either above or below it a ball or anything resembling a ball.

Fourth. A continuous sounding with any fog-signal apparatus.

At night—

First. A gun or other explosive signal fired at intervals of about a minute.

Second. Flames on the vessel (as from a burning tar barrel, oil barrel, and so forth).

Third. Rockets or shells throwing stars of any color or description, fired one at a time, at short intervals.

Fourth. A continuous sounding with any fog-signal apparatus.

Digitized by Google

INLAND RULES

Precaution.

ART. 29. Nothing in these rules shall exonerate any vessel, or the owner or master or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper lookout, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

Lights on United States naval vessels and revenue cutters.

ART. 30. The exhibition of any light on board of a vessel of war of the United States or a Coast Guard cutter may be suspended whenever, in the opinion of the Secretary of the Navy, the commander-in-chief of a squadron, or the commander of a vessel acting singly, the special character of the service may require it.

Distress signals.

ART. 31. When a vessel is in distress and requires assistance from other vessels or from the shore the following shall be the signals to be used or displayed by her, either together or separately, namely:

In the daytime—

A continuous sounding with any fog-signal apparatus, or firing a gun.

At night—

First. Flames on the vessel as from a burning tar barrel, oil barrel, and so forth.

Second. A continuous sounding with any fog-signal apparatus, or firing a gun.

Digitized by Google

CHAPTER XIX

LIMITS OF INLAND WATERS OF THE U. S.

Inland waters on the Atlantic, Pacific, and Gulf coasts of the United States where the Inland Rules of the Road are to be followed; and inland waters of the United States bordering on the Gulf of Mexico where the Inland Rules of the Road or Pilot Rules for Western Rivers are to be followed.

(All bearings are in degrees true and points magnetic; distances in nautical miles, and are given approximately.)

Cutler (Little River) Harbor, Me.

A line drawn from Long Point 226° (SW. by W. $\frac{7}{8}$ W.) to Little River Head.

Little Machias Bay, Machias Bay, Englishman Bay, Chandler Bay, Moosabec Reach, Pleasant Bay, Narraguagus Bay, and Pigeon Hill Bay, Me.

A line drawn from Little River Head 232° (WSW. $\frac{3}{8}$ W.) to the outer side of Old Man; thence 234° (WSW. $\frac{1}{2}$ W.) to the outer side of Double Shot Islands; thence 244° (W. $\frac{3}{8}$ S.) to Libby Islands Lighthouse; thence 231½° (WSW. $\frac{1}{4}$ W.) to Moose Peak Lighthouse; thence 232½° (WSW. $\frac{3}{8}$ W.) to Little Pond Head; from Pond Point, Great Wass Island, 239° (W. by S.) to outer side of Crumple Island; thence 249° (W. $\frac{1}{4}$ S.) to Petit Manan Lighthouse.

All harbors on the coast of Maine, New Hampshire, and Massachusetts between Petit Manan Lighthouse, Me., and Cape Ann Lighthouses, Mass.

A line drawn from Petit Manan Lighthouse 205½° (SW. $\frac{1}{4}$ S.), 26½ miles, to Mount Desert Lighthouse; thence 250½° (W. $\frac{1}{8}$ S.), about 33 miles, to Matinicus Rock Lighthouses; thence 267½° (WNW. $\frac{3}{4}$ W.), 20 miles, to Monhegan Island Lighthouse; thence

Digitized by Google

260° (W. ⅝ N.) 19½ miles, to Seguin Lighthouse; thence 233° (WSW. ⅛ W.), 18¼ miles, to Portland Light Vessel; thence 214½° (SW, ⅝ W.), 29½ miles, to Boon Island Lighthouse; thence 210° (SW.), 11 miles, to Anderson Ledge Spindle, off Isles of Shoals Lighthouse; thence 176¼° (S. by W.) 19½ miles, to Cape Ann Lighthouses, Mass.

Boston Harbor.

From Eastern Point Lighthouse 215° (SW. ⅝ W.) 15¾ miles, to The Graves Lighthouse; thence 139¼° (SSE. ⅝ E.), 7½ miles, to Minots Ledge Lighthouse.

All Harbors in Cape Cod Bay, Mass.

A line drawn from Plymouth (Gurnet) Lighthouses 77½° (E. ⅛ S.), 16½ miles, to Race Point Lighthouse.

Nantucket Sound, Vineyard Sound, Buzzards Bay, Narragansett Bay, Block Island Sound, and Easterly entrance to Long Island Sound.

A line drawn from Chatham Lighthouses, Mass., 146° (S. by E. ¾ E.), 4⅜ miles, to Pollock Rip Slue Light Vessel; thence 142° (SSE. ⅛ E.), 12¾ miles, to Great Round Shoal Entrance Gas and Whistling Buoy (PS); thence 229° (SW. by W. ⅝ W.), 14½ miles, to Sankaty Head Lighthouse; from Smith Point, Nantucket Island, 261° (W. ⅜ N.), 27 miles, to No Mans Land Gas and Whistling Buoy, 2; thence 359° (N. by E. ⅛ E.), 8⅛ miles, to Gay Head Lighthouse; thence 250° (W. ⅝ S.), 34½ miles, to Block Island Southeast Lighthouse; thence 250½° (W. ⅝ S.), 14¾ miles, to Montauk Point Lighthouse, on the easterly end of Long Island, N. Y.

New York Harbor.

A line drawn from Rockaway Point Coast Guard Station 159½° (S. by E.), 6½ miles, to Ambrose Channel Light Vessel; thence 238½° (WSW. ⅛ W.), 8¼ miles, to Navesink (southerly) Lighthouse.

Philadelphia Harbor and Delaware Bay.

A line drawn from Cape May Lighthouse 200° (SSW. ½ W.), 8½ miles, to Overfalls Light Vessel; thence 246¼° (WSW. ½ W.), 3⅛ miles, to Cape Henlopen Lighthouse.

Baltimore Harbor and Chesapeake Bay.

A line drawn from Cape Charles Lighthouse 179½° (S. ½ W.)

Digitized by Google

10½ miles, to Cape Henry Gas and Whistling Buoy, 2; thence 257° (W. ⅛ S.), 5 miles, to Cape Henry Lighthouse.

Charleston Harbor.

A line drawn from Ferris Wheel, on Isle of Palms, 154° (SSE. ¼ E.), 7 miles, to Charleston Light Vessel; thence 259° (W. ⅛ S.), through Charleston Whistling Buoy, 6 C, 7⅛ miles, until Charleston Lighthouse bears 350° (N. ⅛ W.); thence 270° (W.), 2½ miles, to the beach of Folly Island.

Savannah Harbor and Calibogue Sound.

A line drawn from Braddock Point, Hilton Head Island, 150½° (SSE. ⅛ E.), 9¼ miles, to Tybee Gas and Whistling Buoy, T (PS); thence 270° (W)., to the beach of Tybee Island.

St. Simon Sound (Brunswick Harbor) and St. Andrew Sound.

From hotel on beach of St. Simon Island 1⅛ mile 60° (NE. by E. ¼ E.), from St. Simon Lighthouse, 130° (SE ½ E.), 6⅞ miles, to St. Simon Gas and Whistling Buoy (PS); thence 194° (S. by W. ⅛ W.), 8¾ miles, to St. Andrew Sound Bar Buoy (PS); thence 77° (W.), 4¼ miles, to the shore of Little Cumberland Island.

St. Johns River, Fla.

A straight line from the outer end of the northerly jetty to the outer end of the southerly jetty.

Florida Reefs and Keys.

A line drawn from the easterly end of the northerly jetty, at the entrance to the dredged channel ½ mile northerly of Norris Cut, 94° (E. ¼ S.), 1⅛ miles, to Florida Reefs North End Whistling Buoy, W (HS); thence 178° (S. ¼ E.), 8 miles, to Biscayne Bay Sea Bell Buoy, 1; thence 182° (S. ¼ W.), 2⅜ miles, to Fowey Rocks Lighthouse; thence 188° (S. ⅛ W.), 6¾ miles, to Triumph Reef Beacon, O; thence 193° (S. by W.), 4½ miles, to Ajax Reef Beacon, M; thence 194° (S. by W. ¼ W.), 2 miles, to Pacific Reef Beacon, L; thence 196½° (S. by W. ⅛ W.), 5 miles, to Turtle Harbor Sea Buoy, 2; thence 210° (SSW. ½ W.), 4⅞ miles, to Carysfort Reef Lighthouse; thence 209½° (SSW. ½ W.), 5¼ miles, to Elbow Reef Beacon, J; thence 217½° (SW. ⅛ S.), 9¾ miles, to Molasses Reef Gas Buoy, 2 M; thence 235½° (S.W. ⅛ W.), 6 miles, to Conch Reef Beacon, E; thence 234½°

Digitized by Google

(SW. ¾ W.), through Crocker Reef Beacon, D, 10⅜ miles, to Alligator Reef Lighthouse; thence 234° (SW. ⅝ W.), 10⅞ miles, to Tennessee Reef Buoy, 4; thence 251° (WSW. ⅛ W.), 10½ miles, to Coffins Patches Beacon, C; thence 247° (SW. by W. ¼ W.), 8¾ miles, to Sombrero Key Lighthouse; thence 253½° (WSW. ⅜ W.), 16¾ miles, to Looe Key Beacon, 6; thence 257½° (WSW. ¾ W.), 6⅜ miles, to American Shoal Lighthouse; thence 253½° (WSW. ⅜ W.), 2⅞ miles, to Maryland Shoal Beacon, S; thence 259° (WSW. ⅞ W.), 5¼ miles, to Eastern Sambo Beacon, A; thence 253° (WSW. ¼ W.), 2¼ miles, to Western Sambo Beacon, R; thence 257° (WSW. ⅝ W.), through Western Sambo Buoy, 2, 5⅛ miles, to Key West Entrance Gas Buoy (PS); thence 262° (W. ⅛ S.), 4¼ miles, to Sand Key Lighthouse; thence 261° (W. by S.), 2¾ miles, to Western Dry Rocks Beacon, 2; thence 268° (W. ⅜ S.), 3½ miles, through Satan Shoal Buoy (HS) to Vestal Shoal Buoy, 1; thence 274½° (W. ½ N.), 5¼ miles, to Coal Bin Rock Buoy, CB (HS); thence 324½° (NW. ⅝ N.), 7¼ miles, to Marquesas Keys left tangent; from northwesterly point Marquesas Keys 59° (NE. by E.), 4⅝ miles, to Bar Buoy, 1, Boca Grande Channel; thence 83° (E. ⅞ N.), 9¾ miles, to Northwest Channel Entrance Bell Buoy, 1, Northwest Channel into Key West; thence 68° (NE. by E. ⅞ E.), 23½ miles, to northerly side of Content Keys; thence 49° (NE. ¼ E.), 29 miles, to East Cape, Cape Sable.

Charlotte Harbor and Punta Gorda, Fla.

Eastward of Charlotte Harbor Entrance Gas and Bell Buoy (PS), off Boca Grande, and in Charlotte Harbor, in Pine Island Sound and Matlacha Pass. Pilot Rules for Western Rivers apply in Peace and Miakka Rivers north of a 250° and 70° (WSW. and ENE.) line through Mangrove Point Light; and in Caloosahatchee River northward of the steamboat wharf at Punta Rasa.

Tampa Bay and Tributaries, Fla.

From the southerly end of Long Key 245° (SW. by W. ⅝ W.), 9 miles, to Tampa Bay Gas and Whistling Buoy (PS); thence 129° (SE. ¾ E.), 6½ miles, to Bar Bell Buoy (PS), at the entrance to Southwest Channel; thence 103° (E. by S.), 2¾ miles, to the house on the north end of Anna Maria Key. Pilot Rules for Western Rivers apply in Manatee River inside Manatee River Entrance Buoy, 2; in Hillsboro Bay and River inside Hillsboro Bay Light, 2.

Digitized by Google

St. George Sound, Apalachicola Bay, Carrabelle and Apalachicola Rivers, and St. Vincent Sound, Fla.

North of a line from Lighthouse Point 246° (SW. by W. ½ W.) 13¼ miles, to southeasterly side of Dog Island; to northward of East Pass Bell Buoy, 1, at the entrance to East Pass, and inside West Pass Bell Buoy (PS) at the seaward entrance to West Pass. Pilot Rules for Western Rivers apply in Carrabelle River inside the entrance to the dredged channel; in Apalachicola River northward of Apalachicola Dredged Channel Entrance Buoy, 2.

Pensacola Harbor.

From Caucus Cut Entrance Gas and Whistling Buoy, 1A, 3° (N. ¼ W.), tangent to easterly side of Fort Pickens, to the shore of Santa Rosa Island, and from the buoy northward in the buoyed channel through Caucus Shoal.

Mobile Harbor and Bay.

From Mobile Entrance Gas and Whistling Buoy (PS) 40° (NE. ¼ N.) to shore of Mobile Point, and from the buoy 320° (NW.) to the shore of Dauphin Island. Pilot Rules for Western Rivers apply in Mobile River above Choctaw Point.

Sounds, Lakes, and Harbors on the Coasts of Alabama, Mississippi, and Louisiana, between Mobile Bay entrance and the Delta of the Mississippi River.

From Sand Island Lighthouse 259° (WSW. ½ W.), 43½ miles, to Chandeleur Lighthouse; westward of Chandeleur and Errol Islands, and west of a line drawn from the southwesterly point of Errol Island 182° (S. ¼ E.), 23 miles, to Pass a Loutre Lighthouse. Pilot Rules for Western Rivers apply in Pascagoula River, and in the dredged cut at the entrance to the river, above Pascagoula River Entrance Light, A, marking the entrance to the dredged cut.

New Orleans Harbor and the Delta of the Mississippi River.

Inshore of a line drawn from the outermost mud lump showing above low water at the entrance to Pass a Loutre to a similar lump off the entrance to Northeast Pass; thence to a similar lump off the entrance to Southeast Pass; thence to the outermost aid to navigation off the entrance to South Pass; thence to the outermost aid to

Digitized by Google

navigation off the entrance to Southwest Pass; thence northerly, about 19½ miles, to the westerly point of the entrance to Bay Jaque.

Sabine Pass, Tex.

Pilot Rules for Western Rivers apply to Sabine Pass northward of Sabine Pass Gas and Whistling Buoy (PS), and in Sabine Lake and its tributaries. Outside of this buoy the International Rules apply.

Galveston Harbor.

A line drawn from Galveston North Jetty Light 129° (SE. by E. ½ E.), 2 miles, to Galveston Bar Gas and Whistling Buoy (PS); thence 276° (W. ⅛ S.), 2¼ miles, to Galveston (S.) Jetty Lighthouse.

Brazos River, Tex.

Pilot Rules for Western Rivers apply in the entrance and river inside of Brazos River Entrance Gas and Whistling Buoy (PS). International Rules apply outside the buoy.

San Diego Harbor.

A line drawn from southerly tower of Coronado Hotel 208° (S. by W.), 5 miles, to Outside Bar Whistling Buoy, SD (PS); thence 345° (NNW. ⅜ W.), 3⅝ miles, to Point Loma Lighthouse.

San Francisco Harbor.

A line drawn through Mile Rocks Lighthouse 326° (NW. ⅝ W.), to Bonita Point Lighthouse.

Columbia River entrance.

A line drawn from knuckle of Columbia River south jetty 351° (NNW. ⅛ W.) to Cape Disappointment Lighthouse.

Juan de Fuca Strait, Washington and Puget Sounds.

A line drawn from New Dungeness Lighthouse 13½° (N. by W.), 10¾ miles, to Hein Bank Gas and Bell Buoy (HS); thence 337½° (NW. ½ W.), 10¾ miles, to Lime Kiln Light, on west side of San Juan Island; from Bellevue Point, San Juan Island, 336½° (NW. ¼ W.) to Kellett Bluff, Henry Island; thence 347° (NW. ⅝ N.) to Turn Point Light; thence 71½° (NE. ⅛ E.), 8¼ miles, to westerly point of Skipjack Island; thence 38½° (N. by E. ½ E.), 4⅜ miles, to Patos

Digitized by Google

Islands Light; thence 338° (NW. ½ W.), 12 miles, to Point Roberts Light.

General rule.

At all buoyed entrances from seaward to bays, sounds, rivers, or other estuaries for which specific lines have not been described, Inland Rules shall apply inshore of a line approximately parallel with the general trend of the shore, drawn through the outermost buoy or other aid to navigation of any system of aids.

Digitized by Google

CHAPTER XX

THE QUARTERMASTERS

For many years the quartermasters—situated somewhere between the deck hand (A.B.) and the licensed officer—have been the slim loophole through which a few American boys have slipped into the merchant service of their country.

The duties of the quartermasters have become fairly standard, and besides steering in two, and sometimes four hour shifts, the latter a practice that should be stopped by law, the quartermasters have had to do about as follows:

Care of the bridge.

Care of all signal equipment—flags—rockets—lights—etc.

Care of navigational gear, such as sounding machines, log lines and indicators; leads, etc.

Heaving the lead (blue pigeon) and working the sounding machine under an officer.

In port, the quartermasters have had to stand gangway watches, and watches in the holds while stowing or discharging cargo.

Quartermasters are a necessity—as signalmen, helmsmen, and generally useful assistants in the navigation of the vessel. They are the messengers for the officer of the watch, read the log when sights are taken, or course is changed, and assist generally.

Steering, however, should be done by all hands, the quartermasters being relieved for at least half of their watch by one of the seamen. This practice would result in a

Digitized by Google

largely increased number of competent helmsmen, and in an increased efficiency all round.

Quartermasters should aim to become officers, and should devote as much of their time as possible to study, in which the deck officers are usually ready to assist.

All quartermasters should be certified lifeboat men, and should be familiar with the handling of ship's boats. They should be charged with the overhauling of the required lifeboat equipment, under the direction of one of the officers.

Digitized by Google

CHAPTER XXI

THE CARPENTER

The carpenter occupies an important position on board ship. He is one of the "idlers," works all day and turns in at night, like an ordinary human being; in other words, he stands no watches.

His duties, of course, are defined by his title, but on a well-regulated vessel, the Carpenter, under orders from the Chief Mate, to whom he reports in person, performs certain standard tasks.

Sounding. He has charge of the sounding; sounds the bilges and tanks, and reports their condition each morning, or when specially ordered.

In the event of grounding, or collision, one of the first things to do is to sound bilges and wells in the vicinity of the damage. This duty always falls to the Carpenter.

Tanks. Any work done to the tanks—not directly under the Chief Engineer—is attended to by the Carpenter.

Tools. The Carpenter is responsible for all tools used in the deck department—outside of marline spikes, fid, rigging screws, etc., which belong to the Boatswain. He takes care of his shop, keeps an inventory of his materials, and turns same in to the Chief Mate for approval.

Cargo Ports. The Carpenter should overhaul and attend to the opening and closing of all cargo ports.

Hatches. Hatches are opened and covered and the tar-

Digitized by Google

paulins battened down by the Carpenter; he keeps an extra supply of hatch wedges in his shop.

Deadlights and Light Ports. The Carpenter is charged with the good order and care of all deadlights and light ports. He should examine all deadlights in 'tweendeck, where cargo has been carried.

Fresh Water. The Carpenter should examine all fresh water tanks before filling. He should see them cement washed, when necessary, and should be in attendance when fresh water is taken on board. When double-bottom tanks are being filled, he should see that vents are opened for the escape of air, so they will be completely filled.

Decks. The Carpenter is specially charged with the caulking and repair of wooden decks. He should keep a supply of deck plugs handy. Caulking is almost a lost art today.

Booms—Masts. The Carpenter is charged with the upkeep of booms and masts. He should examine the masts at the partners, whenever the vessel is unloaded. Runs of rust should be noted and the state of the wedges and mast coats reported to the Chief Mate, if necessary.

Old booms should be examined in the wake of bands, and probed for dry rot at the heel. Checks and dangerous cracks—probably puttied up—should be searched for and reported to the Chief Mate.

Storm Oil. The Carpenter should have charge of the storm-oil tank, and should see that the drip cocks and pipes leading to the hawse, or over side, are kept clear, and that the supply of oil required by the U. S. Inspectors is on hand:

Vessels of over 200 and not over 1,000 gross tons, 30 gallons.

Vessels of over 1,000 and not over 3,000 gross tons, 40 gallons.

Digitized by Google

Vessels of over 3,000 and not over 5,000 gross tons, 50 gallons.

Vessels of over 5,000 gross tons shall carry at least 100 gallons.

General. The modern ship carpenter is as much a worker with iron and steel as he is with wood. His duty requires that he be familiar with machinery—and his special charge is the braking and releasing of the windlass, under the direction of the Chief Mate.

A top-notch carpenter is a jewel, he is a scarce article in these degenerate days of high wages and indifferent performance.

A good artisan can do no better than to go to sea as a carpenter in a well-found modern steamer; the pay is good he will have comfortable quarters, and good food, he will also save money. This holds true of most billets aboard a merchant vessel today.

Digitized by Google

CHAPTER XXII

THE BOATSWAIN

The Boatswain, for a long time was not in favor on American vessels, this prejudice being a survival of the hard old sailing-ship days, after America had ceased to be great with her white wings.

The cheese-paring policy of many owners denied the common sense arrangement of having a Boatswain—a leading man of the crew—to do the actual roustabout with the men in holds and on deck. The Mates were supposed to attend to such matters, and while they juggled hose, and did other energetic, but senseless duties, other matters of far greater importance went undone.

Owners are now generally alive to the fact that a Boatswain makes the Chief Mate about ten times as useful as an officer. He can plan work, attend to his duties and inspections, while such matters as washing decks, mixing paints, standing over gangs of chippers, or side cleaners, goes on without interruption under the Boatswain.

The Duty of the Boatswain is so closely associated with the duty of the Chief Mate, that it is more or less a matter of repetition to enumerate just what he is supposed to look after.

Under the Chief Mate, the Boatswain works the men; if in a large vessel, with the assistance of a Boatswain's Mate. At sea, the watches are divided between the Boatswain and his Mate.

The Boatswain should be something more than an able seaman, as the term is known today. Steamers do not carry a sailmaker, and the Boatswain should be able to sew a

Digitized by Google

seam, sew on a bolt rope, and fit and cut an awning, or a staysail.

He should understand something about rigging—the splicing of wire ropes—the turning in of thimbles—the making and rigging of life-boat sails (most of them on merchant vessels are an abomination).

Boatswain's Orders. A small book of Boatswains' Orders, filled out by the Chief Mate helps to keep things straight and the work on deck progressing. This is specially necessary where the Chief Mate stands a bridge watch and may be turned in for a part of the day.

Stands By. The Boatswain or his Mate, whoever is on deck, should always " stand by " for an emergency call from the bridge, to attend to any work that the officer of the watch may wish to have done.

Digitized by Google

CHAPTER XXIII

ABLE SEAMEN

The able seaman of the present is an elusive bird who draws twice as much pay as the Chief Mate of a three-skysail-yarder earned in the slack days of the past, and his knowledge of seamanship is in the ratio of nothing to everything. The modern A.B. just is; he arrives at the office of the Shipping Commissioner, when the crew sign on, and he is there when they pay off, that is, if he has not become tired of travel, while on the voyage, and stopped off for rest in foreign ports.

However, better days are dawning for the men of the sea; official recognition of the seaman, is carrying with it certain requirements as to real ability. Higher standards bring with them increased respect and less friction between officers and men. No mate, worthy of the name, will find fault with a man who can "surge" a ten-inch manila line when springing a vessel around a pier, or who can turn a splice into a wire mooring line—any seaman worthy of his pay should be able to do such things and many others—the official standards, as set forth in a Department of Commerce circular follow:

ABLE SEAMEN

Department of Commerce Circular No. 264

By virtue of the authority conferred by section 13, of the act approved March 4, 1915, which provides "That upon examination, under rules prescribed by the Department of Commerce as to eyesight, hearing, physical condition, and knowledge of the duties of seaman-

Digitized by Google

ship a person found competent may be rated as able seaman after having served on deck twelve months at sea, or on the Great Lakes," the following regulations are prescribed for determining the knowledge of the duties of seamanship of such persons who make application for examination for a certificate of service as able seaman:

1. Any person who has had twelve months' service on deck at sea or on the Great Lakes on any vessel of 100 tons gross and upward (except those navigating rivers exclusively and the smaller inland lakes, and except fishing or whaling vessels or yachts), including decked fishing vessels, naval vessels, and coast-guard vessels, may make application to any board of local inspectors for a certificate of service as able seaman, and upon proof being made to said board by affidavit as to service, and examination as to physical condition and knowledge of the duties of seamanship, showing the nationality and age of the applicant and the vessel or vessels on which he has had service, the board of local inspectors shall issue to said applicant a certificate of service which shall be retained by him and be accepted as prima facie evidence of his rating as able seaman.

2. No person shall be examined who does not produce satisfactory affidavit or affidavits that he has served at sea or on the Great Lakes as prescribed in paragraph 1.

3. Each applicant shall pass the prescribed physical examination before a medical officer of the Public Health Service before being permitted to take the examination to determine his knowledge of the duties of seamanship.

4. The professional examination to determine the applicant's knowledge of the duties of seamanship shall be oral, and shall be conducted in the form of questions and answers and by practical tests. The applicant shall be examined in each of the prescribed subjects and given a mark in each based on a scale of 100.

5. No person shall be recommended for or shall receive the certificate of service as able seaman who fails to attain a general average of merit of 70 per cent.

6. The professional examination may be conducted by an officer of the United States Navy, the Coast Guard, Lighthouse Service, Coast and Geodetic Survey, Navigation Service, or any other marine

Digitized by Google

officer designated by the Secretary of Commerce. When any such officer conducts the examination the board of local inspectors shall issue to the applicant a certificate of service as able seaman upon receiving notice in writing from such an officer that the applicant has passed the prescribed examination as to the knowledge of the duties of seamanship.

7. The professional examination will be conducted as concisely as possible, with the view of determining the applicant's qualifications, and will embrace the following subjects:

(*a*) *Boxing the compass.*—The applicant will be required to box the compass by points or degrees, according to the experience he has had in the use of either method.

(*b*) *Lights and fog signals.*—A knowledge will be required of the running and anchor lights for steam and sailing vessels on the sea, inland waters, or Great Lakes, and a like knowledge of fog signals, according to the waters on which the applicant has served.

(*c*) *Signals for starting, stopping, slowing down, and backing the engines of steam vessels.*—This examination will be restricted to the signals in use on the sea, or Great Lakes, according to the waters on which the applicant has served. In view of the widespread use of engine telegraphs, knowledge of engine bell signals, while deemed advantageous, will not be *required* if in other respects the candidate qualified.

(*d*) *Passing signals for steam vessels.*—To be confined to vessels meeting or passing under ordinary conditions.

(*e*) *Knotting, bending, splicing, and hitching.*—The applicant will be required to make a few of the principal knots, bends, splices, and hitches in common use by sailormen.

(*f*) *Ability to pull an oar.*—The applicant's knowledge of pulling an oar will be determined by actual trial in a boat.

(*g*) *Clearing away, lowering, and getting away from the ship.*—The applicant's ability will be determined by actual trial aboard ship.

(*h*) *Handling boats at sea.*—This examination will include questions relative to the proper handling of a boat in running before a heavy sea; in pulling into a sea; the trim of the boat; and steering with an oar, tiller, or yoke.

(*i*) *Knowledge of nautical terms.*—The applicant will be required to definitely locate different parts of a ship, and to give the names of the different masts, sails, rigging davits, etc.

Digitized by Google

(j) *Steering.*—The applicant will be required to demonstrate his knowledge of handling the wheel of a steamer by obeying orders passed to him as "wheelman."

WILLIAM C. REDFIELD,
Secretary.

The able seaman should also know the following:

Markings and use of the hand lead.
Handling of a boat under sail.
Running a steam winch.
Slinging a scaffold plank.
Use of the life line and breeches buoy—that is what to do on the ship end of the line.
Use of rockets.
Use of line-throwing gun.
Use of the heaving line.
Slinging a cask.
Sewing canvas.
International Code Flags.
Hand semaphore signals.

An able seaman might know a lot more, but the above coupled with the things mentioned by Mr. Redfield, should turn him out as a competent American sailorman.

The following common sense advice taken from the pages of the Coast Seamen's Journal, on "Teaching Seamanship,' is given—it clearly sets forth the things a modern merchant sailorman should know.

Were we asked to prescribe a course of instruction in seamanship for beginners, we should arrange it somewhat as follows:

First—Teach the pupil the names, locations and uses of the different parts of the ship, and of her spars, sails, standing and running riggings; together with the meaning of such terms as port, starboard, lee, weather, astern, ahead, abaft, aloft and alow.

Second—Show him how to box the compass and, if possible, how to steer. Explain to him the meaning of the commands, "Hard up" and "Hard down the helm," and why he must turn the wheel to port when ordered to starboard the helm, and vice versa. Also show him the marks on the hand leadline.

Digitized by Google

Third—Teach him how to whip a rope; how to make a clinch; how to tie a reef knot; how to make the bends and hitches commonly used on a ship, such as a bowline, clove hitch, sheet bend, anchor bend, rolling hitch, timber hitch, bow line on a bight, cat's paw, blackwall hitch, midshipman's hitch, single carrick bend, sheepshank, etc. Also how to put on a strop and how to shorten a cargo sling.

Fourth—Take up splicing and knotting—eye splice, short splice, long splice, crown and wall knot, lanyard knot and manrope knot. Instruct the learner how to worm, parcel and serve a rope; how to put on a seizing; how to pass the head earing on a sail; how to put on a ratline; how to make plain sennit and paunch mats, and explain their uses.

Fifth—Give the pupils a thorough drilling in the loosing, setting, taking in, reefing and furling of the sails; in bracing the yards; in catting and fishing the anchors; in pulling boats and handling of oars; in sending the lighter spars down on deck and up again, and such other maneuvers as are generally recognized as necessary to the safe navigation of ships. In fact, these drills might, with great benefit to the learners, alternate daily with the instruction in the other details of seamanship.

A willing, healthy young fellow, who has gone through a course of training as outlined above, will, with two or three months of actual seafaring behind him, be well worth his keep and wages as a sailor. The experience he will then be daily gaining will soon fill up the gaps in his nautical education necessarily left by his hurried training ship instruction, till in another year or two he will have developed into a full-fledged able seaman. If he then chooses to take up with "fancy work"—and they usually do—all good and well. But safety first. And safety for a man before the mast lies in knowing how to perform in a ship-shape manner the daily, prosaic, everyday routine duties of an able seaman.

The laws governing the American Seaman, in which are incorporated the laws known as the "Seamen's Act," follow. They are of interest to every one who is governed by them. Laws are made to provide for the proper regulation of our affairs, and no matter how wordy, the intent is to uphold recognized authority, and be just to all—**sea lawyers take notice.**

Digitized by Google

CHAPTER XXIV

U. S. NAVIGATION LAWS GOVERNING MERCHANT SEAMEN

Definitions.

In the construction of this Title [R. S., 4501–4613], every person having the command of any vessel belonging to any citizen of the United States shall be deemed to be the "master" thereof; and every person (apprentices excepted) who shall be employed or engaged to serve in any capacity on board the same shall be deemed and taken to be a "seaman;" and the term "vessel" shall be understood to comprehend every description of vessel navigating on any sea or channel, lake or river, to which the provisions of this Title may be applicable, and the term "owner" shall be taken and understood to comprehend all the several persons, if more than one, to whom the vessel shall belong. (R. S., 4612.)

Exemption for militia duty.

Pilots, mariners actually employed in the sea service of any citizen or merchant within the United States, and all persons who are exempted by the laws of the respective States or Territories shall be exempted from militia duty, without regard to age. (Jan. 26, 1903; sec. 2.)

Form of articles of agreement.

UNITED STATES OF AMERICA.

(Date and place of first signature of agreement, including name of shipping-office.)

It is agreed between the master and seamen or mariners of the ——— ———, of which ——— ——— is at present master, or whoever shall go for master, now bound from the port of ———, ———, to ———, ———, (here the voyage is to be described, and the places named at which the vessel is to touch, or if that cannot be done, the general nature and probable length of the voyage is to be stated.)

Digitized by Google

And the said crew agree to conduct themselves in an orderly, faithful, honest, and sober manner, and to be at all times diligent in their respective duties, and to be obedient to the lawful commands of the said master, or of any person who shall lawfully succeed him, and of their superior officers in everything relating to the vessel, and the stores and cargo thereof, whether on board, in boats, or on shore; and in consideration of which service, to be duly performed, the said master hereby agrees to pay the said crew, as wages, the sums against their names respectively expressed, and to supply them with provisions according to the annexed scale. And it is hereby agreed that any embezzlement, or willful or negligent destruction of any part of the vessel's cargo or stores, shall be made good to the owner out of the wages of the person guilty of the same; and if any person enters himself as qualified for a duty which he proves himself incompetent to perform, his wages shall be reduced in proportion to his incompetency. And it is also agreed that if any member of the crew considers himself to be aggrieved by any breach of the agreement or otherwise, he shall represent the same to the master or officer in charge of the vessel, in a quiet and orderly manner, who shall thereupon take such steps as the case may require. And it is also agreed that (here any other stipulations may be inserted to which the parties agree, and which are not contrary to law).

In witness whereof the said parties have subscribed their names hereto, on the days against their respective signatures mentioned.

Signed by ——— ———, master, on the ——— day of ———, eighteen hundred and ———.

Signature of crew.	Birthplace.	Age.	Height.		Description.		Wages per month.	Wages per run.	Amount of allotment.	Time of service.		Whole wages.	Wages due.	Place and time of entry.	Time at which he is to be on board.	In what capacity.	Shipping commissioner's signature or initials.	Allotment payable to—	Conduct qualifications.
			Feet.	Inches.	Complexion.	Hair.				Months.	Days.								

(June 26, 1884; sec. 10; Dec. 21, 1898; sec. 24.)

Digitized by Google

NOTE.—In the place for signatures and descriptions of men engaged after the first departure of the ship, the entries are to be made as above, except that the signatures of the consul or vice-consul, officer of customs, or witness before whom the man is engaged, is to be substituted for that of the shipping-master.

Scale of provisions to be allowed and served out to crew during the voyage.

	Sunday.	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.
Water.....quarts	5	5	5	5	5	5	5
Biscuit.....pound	½	½	½	½	½	½	½
Beef, salt.....pounds	....	....	1¼	....	1¼	....	1¼
Pork, salt.....pound	....	1	....	1	....	1	
Flour.....pound	½	....	½	....	½		
Canned meat.....pound	1	....	....	1			
Fresh bread.....pounds	1½	1½	1½	1½	1½	1½	1½
Fish, dry, preserved, or fresh...pound	....	....	....	....	....	1	
Potatoes or yams.....pound	1	1	1	1	1	1	1
Canned tomatoes.....pound	½	....	....	....	....	½	
Peas.....pint	....	....	½	....	....	½	
Beans.....pint	....	½	....	½			
Rice.....pint	....	½	....	....	....	....	½
Coffee (green berry).....ounce	¼	¼	¼	¼	¼	¼	¼
Tea.....ounce	⅛	⅛	⅛	⅛	⅛	⅛	⅛
Sugar.....ounces	3	3	3	3	3	3	3
Molasses.....pint	½	....	½	....	½		
Dried fruit.....ounces	3	....	3	....	3		
Pickles.....pint	....	¼	....	¼	....	¼	
Vinegar.....pint	....	....	½	....	....	....	½
Corn meal.....ounces	4	....	....	....	4		
Onions.....ounces	4	....	....	....	4	....	4
Lard.....ounce	1	1	1	1	1	1	1
Butter.....ounces	2	2	2	2	2	2	2
Mustard, pepper, and salt sufficient for seasoning.							

Digitized by Google

Substitutes.

One pound of flour daily may be substituted for the daily ration of biscuit or fresh bread; two ounces of desiccated vegetables for one pound of potatoes or yams; six ounces of hominy, oatmeal, or cracked wheat, or two ounces of tapioca, for six ounces of rice; six ounces of canned vegetables for one-half pound of canned tomatoes; one-eighth of an ounce of tea for three-fourths of an ounce of coffee; three-fourths of an ounce of coffee for one-eighth of an ounce of tea; six ounces of canned fruit for three ounces of dried fruit; one-half ounce of lime juice for the daily ration of vinegar; four ounces of oatmeal or cracked wheat for one-half pint of corn meal; two ounces of pickled onions for four ounces of fresh onions.

When the vessel is in port and it is possible to obtain the same, one-and-one-half pounds of fresh meat shall be substituted for the daily rations of salt and canned meat; one-half pound of green cabbage for one ration of canned tomatoes; one-half pound of fresh fruit for one ration of dried fruit. Fresh fruit and vegetables shall be served while in port if obtainable. The seamen shall have the option of accepting the fare the master may provide, but the right at any time to demand the foregoing scale of provisions. The foregoing scale of provisions shall be inserted in every article of agreement, and shall not be reduced by any contract, except as above, and a copy of the same shall be posted in a conspicuous place in the galley and in the forecastle of each vessel. [Fishing or whaling vessels or yachts exempt—Dec. 21, 1898, sec. 26.] (R. S., 4612; Dec. 21, 1898; sec. 23; Mar. 4, 1915; sec. 10.)

Account of apprentices on board.

Christian and surname of apprentice in full.	Date of registry of indenture.	Port at which indenture was registered.	Date of register of assignment.	Port at which assignment was registered.

(R. S., 4612.)

Digitized by Google

Certificate of discharge.

Name and official number of ship.	Port of registry.	Tonnage.	Description of voyage or employment.	Name of seaman.	Place of birth.	Date of birth.	Character.	Declines to give statement of character.	Capacity.	Date of entry.	Date of discharge.	Place of discharge.

I certify that the above particulars are correct, and that the above-named seaman was discharged accordingly.

Dated ——— day of ———, eighteen hundred and ———.

(Signed) ——— ———, Master.

(Countersigned) ——— ———, Seaman.

Given to the above-named seaman in my presence this ——— day of ———, eighteen hundred and ———.

(Signed) ——— ———,

Shipping-Commissioner.

(R. S., 4612.)

Naturalization and citizenship of seamen.

Every seaman, being a foreigner, who declares his intention of becoming a citizen of the United States in any competent court, and shall have served three years on board of a merchant vessel of the United States subsequent to the date of such declaration, may, on his application to any competent court, and the production of his certificate of discharge and good conduct during that time, together with the certificate of his declaration of intention to become a citizen, be admitted a citizen of the United States; and every seaman, being a foreigner, shall, after his declaration of intention to become a citizen of the United States, and after he shall have served such three years, be deemed a citizen of the United States for the purpose of manning and serving on board any merchant-vessel of the United

Digitized by Google

States, anything to the contrary in any act of Congress notwithstanding; but such seaman shall, for all purposes of protection as an American citizen, be deemed such, after the filing of his declaration of intention to become such citizen. (R. S., 2174.)

The collector of every district shall keep a book or books, in which, at the request of any seaman, being a citizen of the United States of America, and producing proof of his citizenship, authenticated in the manner hereinafter directed, he shall enter the name of such seaman, and shall deliver to him a certificate, in the following form, that is to say: "I, A. B., collector of the district of D., do hereby certify, that E. F., an American seaman, aged ——— years, or thereabouts, of the height of ——— feet ——— inches, (describing the said seaman as particularly as may be,) has, this day, produced to me proof in the manner directed by law; and I do hereby certify that the said E. F. is a citizen of the United States of America. In witness whereof, I have hereunto set my hand and seal of office, this ——— day of ———." It shall be the duty of the collectors to file and preserve the proofs of citizenship so produced." (R. S., 4588; June 19, 1886.)

The collector of every port of entry in the United States shall send a list of the seaman to whom certificates of citizenship have been granted, once every three months, to the Secretary of State [together with an account of such impressments or detentions, as shall appear, by the protests of the masters, to have taken place.] (R. S., 4591.)

Shipping officers.

The general duties of a shipping-commissioner shall be:

First. To afford facilities for engaging seamen by keeping a register of their names and characters.

Second. To superintend their engagement and discharge, in manner prescribed by law.

Third. To provide means for securing the presence on board at the proper times of men who are so engaged.

Fourth. To facilitate the making of apprenticeships to the sea service.

Fifth. To perform such other duties relating to merchant seamen or merchant ships as are now or may hereafter be required by law.

In any port in which no shipping-commissioner shall have been appointed, the whole or any part of the business of a shipping-com-

Digitized by Google

missioner shall be conducted by the collector or deputy collector of customs of such port; and in respect of such business such custom-house shall be deemed a shipping-office, and the collector or deputy collector of customs to whom such business shall be committed, shall, for all purposes, be deemed a shipping-commissioner within the meaning of this Title [R. S., 4501–4613]. (R. S., 4503.)

Every shipping-commissioner, and every clerk or employé in any shipping-office, who demands or receives any remuneration whatever, either directly or indirectly, for hiring or supplying any seaman for any merchant-vessels, excepting the lawful fees payable under this Title [R. S., 4501–4613], shall, for every such offense, be liable to a penalty of not more than two hundred dollars. [Fees payable by individuals abolished June 19, 1886.] (R. S., 4595; Mar. 4, 1911; June 19, 1886; R. S., 4508.)

Illegal shipments.

Whoever, with intent that any person shall perform service or labor of any kind on board of any vessel engaged in trade and commerce among the several States or with foreign nations, or on board of any vessel of the United States engaged in navigating the high seas or any navigable water of the United States, shall procure or induce, or attempt to procure or induce, another, by force or threats or by representations which he knows or believes to be untrue, or while the person so procured or induced is intoxicated or under the influence of any drug, to go on board of any such vessel, or to sign or in anywise enter into any agreement to go on board of any such vessel to perform service or labor thereon; or whoever shall knowingly detain on board of any such vessel any person so procured or induced to go on board thereof, or to enter into any agreement to go on board thereof, by any means herein defined; or whoever shall knowingly aid or abet in the doing of any of the things herein made unlawful, shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both. (Mar. 4, 1909; sec. 82; Repeals act of Mar. 2, 1907.)

All shipments of seamen made contrary to the provisions of any act of Congress shall be void; and any seaman so shipped may leave the service at any time, and shall be entitled to recover the highest rate of wages of the port from which the seaman was shipped, or the sum agreed to be given him at his shipment. (R. S., 4523.)

Digitized by Google

Owners or masters may ship seamen in certain cases.

Any person other than a commissioner under this Title [R. S., 4501–4613], who shall perform or attempt to perform, either directly or indirectly, the duties which are by this Title set forth as pertaining to a shipping-commissioner, shall be liable to a penalty of not more than five hundred dollars.

Nothing in this Title [R. S., 4501–4613], however, shall prevent the owner, or consignee, or master of any vessel except vessels bound from a port in the United States to any foreign port, other than vessels engaged in trade between the United States and the British North American possessions, or the West India Islands, or the republic of Mexico, and vessels of the burden of seventy-five tons or upward bound from a port on the Atlantic to a port on the Pacific, or vice versa, from performing, himself, so far as his vessel is concerned, the duties of shipping-commissioner under this Title. Whenever the master of any vessel shall engage his crew, or any part of the same, in any collection-district where no shipping-commissioner shall have been appointed, he may perform for himself the duties of such commissioner. (R. S., 4504.)

Apprentices.

Every shipping-commissioner appointed under this Title [R. S., 4501–4613] shall, if applied to for the purpose of apprenticing boys to the sea-service, by any master or owner of a vessel, or by any person legally qualified, give such assistance as is in his power for facilitating the making of such apprenticeships; but the shipping-commissioner shall ascertain that the boy has voluntarily consented to be bound, and that the parents or guardian of such boy have consented to such apprenticeship, and that he has attained the age of twelve years, and is of sufficient health and strength, and that the master to whom such boy is to be bound is a proper person for the purpose. Such apprenticeship shall terminate when the apprentice becomes eighteen years of age. The shipping-commissioner shall keep a register of all indentures of apprenticeship made before him. (R. S., 4509.)

The master of every foreign-going vessel shall, before carrying any apprentice to sea from any place in the United States, cause such apprentice to appear before the shipping-commissioner before whom the crew is engaged, and shall produce to him the indenture by which

Digitized by Google

such apprentice is bound, and the assignment or assignments thereof, if any; and the name of the apprentice, with the date of the indenture and of the assignment or assignments thereof, if any, shall be entered on the agreement; which shall be in the form, as near as may be, given in the table marked "A" in the schedule annexed to this Title [R. S., 4501–4613]; and no such assignment shall be made without the approval of a commissioner, of the apprentice, and of his parents or his guardian. For any violation of this section, the master shall be liable to a penalty of not more than one hundred dollars. (R. S., 4510.)

Agreement to ship in foreign trade.

The master of every vessel bound from a port in the United States to any foreign port other than vessels engaged in trade between the United States and the British North American possessions, or the West India Islands, or the republic of Mexico, or of any vessel of the burden of seventy-five tons or upward, bound from a port on the Atlantic to a port on the Pacific, or vice versa, shall, before he proceeds on such voyage, make an agreement, in writing or in print, with every seaman whom he carries to sea as one of the crew, in the manner hereinafter mentioned; and every such agreement shall be, as near as may be, in the form given in the table Marked A, in the schedule annexed to this Title [R. S., 4501–4613], and shall be dated at the time of the first signature thereof, and shall be signed by the master before any seaman signs the same, and shall contain the following particulars:

First. The nature and, as far as practicable, the duration of the intended voyage or engagement, and the port or country at which the voyage is to terminate.

Second. The number and description of the crew, specifying their respective employments.

Third. The time at which each seaman is to be on board, to begin work.

Fourth. The capacity in which each seaman is to serve.

Fifth. The amount of wages which each seaman is to receive.

Sixth. A scale of the provisions which are to be furnished to each seaman.

Seventh. Any regulations as to conduct on board and as to fines, short allowances of provisions, or other lawful punishments for misconduct, which may be sanctioned by Congress or authorized by the

Digitized by Google

Secretary of Commerce and Labor not contrary to or not otherwise provided for by law, which the parties agree to adopt.

Eighth. Any stipulations in reference to allotment of wages, or other matters not contrary to law. [Repealed so far as relates to allotments in trade between the United States, Dominion of Canada, Newfoundland, the West Indies and Mexico, and coasting trade of the United States, except between Atlantic and Pacific ports, by sec. 25 of Act of December 21, 1898.] (R. S., 4511; Mar. 3, 1897; sec. 19; Feb. 14, 1903; sec. 10; June 26, 1884; sec. 10; Dec. 21, 1898; sec. 25.)

The following rules shall be observed with respect to agreements:

First. Every agreement except such as are otherwise specially provided for, shall be signed by each seaman in the presence of a shipping-commissioner.

Second. When the crew is first engaged the agreement shall be signed in duplicate, and one part shall be retained by the shipping-commissioner, and the other part shall contain a special place or form for the description and signatures of persons engaged subsequently to the first departure of the ship, and shall be delivered to the master.

Third. Every agreement entered into before a shipping-commissioner shall be acknowledged and certified under the hand and official seal of such commissioner. The certificate of acknowledgment shall be indorsed on or annexed to the agreement; and shall be in the following form:

"State of ———, County of ———:

"On this ——— day of ———, personally appeared before me, a shipping-commissioner in and for the said county, A. B., C. D., and E. F., severally known to me to be the same persons who executed the foregoing instrument, who each for himself acknowledged to me that he had read or had heard read the same; that he was by me made acquainted with the conditions thereof, and understood the same; and that, while sober and not in a state of intoxication, he signed it freely and voluntarily, for the uses and purposes therein mentioned." (R. S., 4512.)

Section 4511 shall not apply to masters of vessels where the seamen are by custom or agreement entitled to participate in the profits

Digitized by Google

or result of a cruise or voyage, nor to masters of coastwise nor to masters of lake-going vessels that touch at foreign ports; but seamen may, by agreement, serve on board such vessels a definite time, or, on the return of any vessel to a port in the United States, may reship and sail in the same vessel on another voyage, without the payment of additional fees to the shipping-commissioner.

[NOTE.—Sec. 4511, however, does apply in part to masters of coastwise vessels whose crews are shipped under provisions of the act of Feb. 18, 1895.] (R. S., 4513; Feb. 18, 1895; June 19, 1886.)

The master shall, at the commencement of every voyage or engagement, cause a legible copy of the agreement, omitting signatures, to be placed or posted up in such part of the vessel as to be accessible to the crew; and on default shall be liable to a penalty of not more than one hundred dollars. (R. S., 4519.)

Period of engagement.

A master of a vessel in the foreign trade may engage a seaman at any port in the United States, in the manner provided by law, to serve on a voyage to any port, or for the round trip from and to the port of departure, or for a definite time, whatever the destination. The master of a vessel making regular and stated trips between the United States and a foreign country may engage a seaman for one or more round trips, or for a definite time, or on the return of said vessel to the United States may reship such seamen for another voyage in the same vessel, in the manner provided by law, without the payment of additional fees to any officer for such reshipment or re-engagement. (June 26, 1884; sec. 19.)

Penalty for shipment without agreement.

If any person shall be carried to sea, as one of the crew on board of any vessel making a voyage as hereinbefore specified, without entering into an agreement with the master of such vessel, in the form and manner, and at the place and times in such cases required, the vessel shall be held liable for each such offense to a penalty of not more than two hundred dollars. But the vessel shall not be held liable for any person carried to sea, who shall have secretly stowed away himself without the knowledge of the master, mate, or of any of the officers of the vessel, or who shall have falsely personated him-

Digitized by Google

self to the master, mate, or officers of the vessel, for the purpose of being carried to sea. (R. S., 4514.)

If any master, mate, or other officer of a vessel knowingly receives, or accepts, to be entered on board of any merchant-vessel, any seaman who has been engaged or supplied contrary to the provisions of this Title [R. S., 4501–4613], the vessel on board of which such seaman shall be found shall, for every such seaman, be liable to a penalty of not more than two hundred dollars. (R. S., 4515.)

Shipment in foreign ports before consuls.

Every master of a merchant-vessel who engages any seaman at a place out of the United States, in which there is a consular officer or commercial agent, shall, before carrying such seaman to sea, procure the sanction of such officer, and shall engage seamen in his presence; and the rules governing the engagement of seamen before a shipping-commissioner in the United States, shall apply to such engagements made before a consular officer or commercial agent; and upon every such engagement the consular officer or commercial agent shall indorse upon the agreement his sanction thereof, and an attestation to the effect that the same has been signed in his presence, and otherwise duly made. (R. S., 4517.)

Every master who engages any seaman in any place in which there is a consular officer or commercial agent, otherwise than as required by the preceding section, shall incur a penalty of not more than one hundred dollars, for which penalty the vessel shall be held liable.

Every master of a vessel in the foreign trade may engage any seaman at any port out of the United States, in the manner provided by law, to serve for one or more round trips from and to the port of departure, or for a definite time, whatever the destination; and the master of a vessel clearing from a port of the United States with one or more seamen engaged in a foreign port as herein provided shall not be required to reship in a port of the United States the seamen so engaged. (R. S., 4518; June 26, 1884; sec. 20; Mar. 3, 1897; sec. 3.)

Crew list.

Before a clearance is granted to any vessel bound on a foreign

Digitized by Google

voyage or engaged in the whale-fishery, the master thereof shall deliver to the collector of the customs a list containing the names, places of birth and residence, and description of the persons who compose his ship's company; to which list the oath of the captain shall be annexed, that the list contains the names of his crew, together with the places of their birth and residence, as far as he can ascertain them; and the collector shall deliver him a certified copy thereof. (R. S., 4573; June 19, 1886.)

In all cases of private vessels of the United States sailing from a port in the United States to a foreign port, the list of the crew shall be examined by the collector for the district from which the vessel shall clear, and if approved of by him, shall be certified accordingly. No person shall be admitted or employed on board of any such vessel unless his name shall have been entered in the list of the crew, approved and certified by the collector for the district from which the vessel shall clear. The collector, before he delivers the list of the crew, approved and certified, to the master or proper officer of the vessel to which the same belongs, shall cause the same to be recorded in a book by him for that purpose to be provided, and the record shall be open for the inspection of all persons, and a certified copy thereof shall be admitted in evidence in any court in which any question may arise under any of the provisions of this Title [R. S., 4501–4613.] (R. S., 4574.)

Failure to produce crew.

The master of every vessel bound on a foreign voyage or engaged in the whale fishery shall exhibit the certified copy of the list of the crew to the first boarding officer at the first port in the United States at which he shall arrive on his return, and also produce the persons named therein to the boarding officer, whose duty it shall be to examine the men with such list and to report the same to the collector; and it shall be the duty of the collector at the port of arrival, where the same is different from the port from which the vessel originally sailed, to transmit a copy of the list so reported to him to the collector of the port from which such vessel originally sailed. For each failure to produce any person on the certified copy of the list of the crew the master and owner shall be severally liable to a penalty of four hundred dollars, to be sued for, prosecuted, and disposed of in such manner as penalties and forfeitures which may be incurred for

Digitized by Google

offenses against the laws relating to the collection of duties; but such penalties shall not be incurred on account of the master not producing to the first boarding officer any of the persons contained in the list who may have been discharged in a foreign country with the consent of the consul, vice-consul, commercial agent, or vice-commercial agent there residing, certified in writing, under the hand and official seal, to be produced to the collector with the other persons composing the crew, nor on account of any such person dying or absconding or being forcibly impressed into other service of which satisfactory proof shall also be exhibited to the collector. (R. S., 4576; Mar. 3, 1897; sec. 3.)

Papers relating to crew.

The following rules shall be observed with reference to vessels bound on any foreign voyage:

First. The duplicate list of the ship's company, required to be made out by the master and delivered to the collector of the customs, under section forty-five hundred and seventy-three, shall be a fair copy in one uniform handwriting, without erasure or interlineation.

Second. It shall be the duty of the owners of every such vessel to obtain from the collector of the customs of the district from which the clearance is made, a true and certified copy of the shipping-articles, containing the names of the crew, which shall be written in a uniform hand, without erasures or interlineations.

Third. These documents, which shall be deemed to contain all the conditions of contract with the crew as to their service, pay, voyage, and all other things, shall be produced by the master, and laid before any consul, or other commercial agent of the United States, whenever he may deem their contents necessary to enable him to discharge the duties imposed upon him by law toward any mariner applying to him for his aid or assistance.

Fourth. All interlineations, erasures, or writing in a hand different from that in which such duplicates were originally made, shall be deemed fraudulent alterations, working no change in such papers, unless satisfactorily explained in a manner consistent with innocent purposes and the provisions of law which guard the rights of mariners.

Fifth. If any master of a vessel shall proceed on a foreign voyage without the documents herein required, or refuse to produce them when required, or to perform the duties imposed by this section, or

Digitized by Google

shall violate the provisions thereof, he shall be liable to each and every individual injured thereby in damages, to be recovered in any court of the United States in the district where such delinquent may reside or be found, and in addition thereto be punishable by a fine of one hundred dollars for each offense.

Sixth. It shall be the duty of the boarding-officer to report all violations of this section to the collector of the port where any vessel may arrive, and the collector shall report the same to the Secretary of Commerce and to the United States attorney in his district. (R. S., 4575; Feb. 14. 1903; sec. 10.)

Shipment of seamen in the coasting or near-by foreign trade.

None of the provisions of an act entitled "An act to authorize the appointment of shipping commissioners by the several circuit courts of the United States to superintend the shipping and discharge of seamen engaged in merchant ships belonging to the United States, and for the further protection of seamen" shall apply to sail or steam vessels engaged in the coastwise trade, (except the coastwise trade between the Atlantic and Pacific coasts,) or in the lake-going trade touching at foreign ports or otherwise, or in the trade between the United States and the British North American possessions, or in any case where the seamen are by custom or agreement entitled to participate in the profits or result of a cruise, or voyage. (June 9, 1874; June 19, 1886; Feb. 18, 1895.)

Shipping commissioners may ship and discharge crews for any vessel engaged in the coastwise trade, or the trade between the United States and the Dominion of Canada, or Newfoundland, or the West Indies, or the Republic of Mexico, at the request of the master or owner of such vessel, the shipping and discharging fees in such cases to be one-half that prescribed by section forty-six hundred and twelve of the Revised Statutes, for the purpose of determining the compensation of shipping commissioners. (June 19, 1886; sec. 2.)

When a crew is shipped by a shipping commissioner for any American vessel in the coastwise trade, or the trade between the United States and the Dominion of Canada, or New Foundland, or the West Indies, or Mexico, as authorized by section two of an Act approved June nineteenth, eighteen hundred and eighty-six, entitled "An Act to abolish certain fees for official services to Ameri-

Digitized by Google

can vessels, and to amend the laws relating to shipping commissioners, seamen, and owners of vessels, and for other purposes," an agreement shall be made with each seaman engaged as one of such crew in the same manner as is provided by Sections four thousand five hundred and eleven and four thousand five hundred and twelve of the Revised Statutes, not however including the sixth and eighth items of Section four thousand five hundred and eleven; and such agreement shall be posted as provided in Section four thousand five hundred and nineteen, and such seamen shall be discharged and receive their wages as provided by the first clause of Section four thousand five hundred and twenty-nine and also by Sections four thousand five hundred and twenty-six, four thousand five hundred and twenty-seven, four thousand five hundred and twenty-eight, four thousand five hundred and thirty, four thousand five hundred and thirty-five, four thousand fine hundred and thirty-six, four thousand five hundred and forty-two, four thousand five hundred and forty-three, four thousand five hundred and forty-four, four thousand five hundred and forty-five, four thousand five hundred and forty-six, four thousand five hundred and forty-seven, four thousand five hundred and forty-nine, four thousand five hundred and fifty, four thousand five hundred and fifty-one, four thousand five hundred and fifty-two, four thousand five hundred and fifty-three, four thousand five hundred and fifty-four and four thousand six hundred and two of the Revised Statutes; but in all other respects such shipments of seamen and such shipping agreement shall be regarded as if both shipment and agreement had been entered into between the master of a vessel and a seaman without going before a shipping commissioner. (Feb. 18, 1895; Mar. 3, 1897; sec. 8; Dec. 21, 1898; sec. 25; Mar. 3, 1897; sec. 8.)

Agreement in coasting trade not before commissioner.

Every master of any vessel of the burden of fifty tons or upward, bound from a port in one State to a port in any other than an adjoining State, except vessels of the burden of seventy-five tons or upward, bound from a port on the Atlantic to a port on the Pacific, or vice versa, shall, before he proceeds on such voyage, make an agreement in writing or in print, with every seaman on board such vessel except such as shall be apprentice or servant to himself or owners, declaring the voyage or term of time for which such seaman shall be shipped. (R. S., 4520.)

Digitized by Google

If any master of such vessel of the burden of fifty tons or upward shall carry out any seaman or mariner, except apprentices or servants, without such contract or agreement being first made and signed by the seamen, such master shall pay to every such seaman the highest price or wages which shall have been given at the port or place where such seaman was shipped, for a similar voyage, within three months next before the time of such shipping, if such seaman shall perform such voyage; or if not, then for such time as he shall continue to do duty on board such vessel; and shall moreover be liable to a penalty of twenty dollars for every such seaman, recoverable, one-half to the use of the person prosecuting for the same, and the other half to the use of the United States. Any seaman who has not signed such a contract shall not be bound by the regulations nor subject to the penalties and forfeitures contained in this Title [R. S., 4501–4613]. (R. S., 4521.)

At the foot of every such contract to ship upon such a vessel of the burden of fifty tons or upward there shall be a memorandum in writing of the day and the hour when such seamen who shipped and subscribed shall render himself on board to begin the voyage agreed upon. If any seaman shall neglect to render himself on board the vessel for which he has shipped at the time mentioned in such memorandum without giving twenty-four hours' notice of his inability to do so, and if the master of the vessel shall, on the day in which such neglect happened, make an entry in the log book of such vessel of the name of such seaman, and shall in like manner note the time that he so neglected to render himself after the time appointed, then every such seaman shall forfeit for every hour which he shall so neglect to render himself one-half of one day's pay, according to the rate of wages agreed upon, to be deducted out of the wages. If any such seaman shall wholly neglect to render himself on board of such vessel, or having rendered himself on board shall afterwards desert, he shall forfeit all of his wages or emoluments which he has then earned. [This section shall not apply to fishing or whaling vessels or yachts, Dec. 21, 1898, sec. 26.] (R. S., 4522; Dec. 21, 1898; sec. 2.)

Discharge in foreign trade.

All seamen discharged in the United States from merchant vessels engaged in voyages from a port in the United States to any foreign port, or, being of the burden of seventy-five tons or upward, from a

Digitized by Google

port on the Atlantic to a port on the Pacific, or vice versa, shall be discharged and receive their wages in the presence of a duly authorized shipping-commissioner under this Title [R. S., 4501–4613], except in cases where some competent court otherwise directs; and any master or owner of any such vessel who discharges any such seaman belonging thereto, or pays his wages within the United States in any other manner, shall be liable to a penalty of not more than fifty dollars. (R. S., 4549.)

Every master shall, not less than forty-eight hours before paying off or discharging any seaman, deliver to him, or, if he is to be discharged before a shipping-commissioner, to such shipping-commissioner, a full and true account of his wages, and all deductions to be made therefrom on any account whatsoever; and in default shall, for each offense, be liable to a penalty of not more than fifty dollars. No deduction from the wages of any seaman except in respect of some matter happening after such delivery shall be allowed, unless it is included in the account delivered; and the master shall, during the voyage, enter the various matters in respect to which such deductions are made, with the amounts of the respective deductions as they occur, in the official log-book, and shall, if required, produce such book at the time of the payment of wages, and, also, upon the hearing, before any competent authority, of any complaint or question relating to such payment. (R. S., 4550.)

Upon the discharge of any seaman, or upon payment of his wages, the master shall sign and give him a certificate of discharge, specifying the period of his service and the time and place of his discharge, in the form marked Table B in the schedule annexed to this Title [R. S., 4501–4613]; and every master who fails to sign and give to such seaman such certificate and discharge, shall, for each such offense, incur a penalty not exceeding fifty dollars. But whenever the master shall discharge his crew or any part thereof in any collection-district where no shipping-commissioner has been appointed, he may perform for himself the duties of such commissioner. (R. S., 4551.)

Discharge in foreign ports.

Upon the application of the master of any vessel to a consular officer to discharge a seaman, or upon the application of any seaman for his own discharge, if it appears to such officer that said seaman

Digitized by Google

has completed his shipping agreement, or is entitled to his discharge under any act of Congress or according to the general principles or usages of maritime law as recognized in the United States, such officer shall discharge said seaman, and require from the master of said vessel, before such discharge shall be made, payment of the wages which may then be due said seaman; but no payment of extra wages shall be required by any consular officer upon such discharge of any seaman except as provided in this act. (R. S., 4580; June 26, 1884; sec. 2.)

If any consular officer, when discharging any seaman, shall neglect to require the payment of and collect the arrears of wages and extra wages required to be paid in the case of the discharge of any seaman, he shall be accountable to the United States for the full amount thereof. The master shall provide any seaman so discharged with employment on a vessel agreed to by the seaman, or shall provide him with one month's extra wages, if it shall be shown to the satisfaction of the consul that such seaman was not discharged for neglect of duty, incompetency, or injury incurred on the vessel. If the seaman is discharged by voluntary consent before the consul, he shall be entitled to his wages up to the time of his discharge, but not for any further period. If the seaman is discharged on account of injury or illness, incapacitating him for service, the expenses of his maintenance and return to the United States shall be paid from the fund for the maintenance and transportation of destitute American seamen: *Provided*, That at the discretion of the Secretary of Commerce, and under such regulations as he may prescribe, if any seaman incapacitated from service by injury or illness is on board a vessel so situated that a prompt discharge requiring the personal appearance of the master of the vessel before an American consul or consular agent is impracticable, such seaman may be sent to a consul or consular agent, who shall care for him and defray the cost of his maintenance and transportation, as provided in this paragraph. (R. S., 4581; Dec. 21, 1898; sec. 16; Mar. 4, 1915; sec. 19.) (Effective beginning Nov. 4, 1915.)

Whenever a vessel of the United States is sold in a foreign country and her company discharged, it shall be the duty of the master to produce to the consular officer a certified list of the ship's company, and also the shipping articles, and besides paying to each seaman or apprentice the wages due him, he shall either provide him with ade-

Digitized by Google

quate employment on board some other vessel bound to the port at which he was originally shipped, or to such other port as may be agreed upon by him, or furnish the means of sending him to such port, or provide him with a passage home, or deposit with the consular officer such a sum of money as is by the officer deemed sufficient to defray the expenses of his maintenance and passage home; and the consular officer shall indorse upon the agreement with the crew of the ship which the seaman or apprentice is leaving the particulars of any payment, provision, or deposit made under this section. A failure to comply with the provisions of this section shall render the owner liable to a fine of not exceeding fifty dollars. (R. S., 4582, Dec. 21, 1898; sec. 17.)

Whenever on the discharge of a seaman in a foreign country by a consular officer on his complaint that the voyage is continued contrary to agreement, or that the vessel is badly provisioned or unseaworthy, or against the officers for cruel treatment, it shall be the duty of the consul or consular agent to institute a proper inquiry into the matter, and, upon his being satisfied of the truth and justice of such complaint, he shall require the master to pay to such seaman one month's wages over and above the wages due at the time of discharge, and to provide him with adequate employment on board some other vessel, or provide him with a passage on board some other vessel bound to the port from which he was originally shipped, or to the most convenient port of entry in the United States, or to a port agreed to by the seaman. (R. S., 4583; Dec. 21, 1898; sec. 18.)

Wages.

No seaman shall, by any agreement other than is provided by this Title [R. S., 4501–4613], forfeit his lien upon the ship, or be deprived of any remedy for the recovery of his wages to which he would otherwise have been entitled; and every stipulation in any agreement inconsistent with any provision of this Title, and every stipulation by which any seaman consents to abandon his right to his wages in the case of the loss of the ship, or to abandon any right which he may have or obtain in the nature of salvage, shall be wholly inoperative. (R. S., 4535.)

The following rules shall be observed with respect to the settlement of wages:

Digitized by Google

First. Upon the completion, before a shipping-commissioner, of any discharge and settlement, the master or owner and each seaman, respectively, in the presence of the shipping-commissioner, shall sign a mutual release of all claims for wages in respect of the past voyage or engagement, and the shipping-commissioner shall also sign and attest it, and shall retain it in a book to be kept for that purpose, provided both the master and seaman assent to such settlement, or the settlement has been adjusted by the shipping-commissioner.

Second. Such release, so signed and attested, shall operate as a mutual discharge and settlement of all demands for wages between the parties thereto, on account of wages, in respect to the past voyage or engagement.

Third. A copy of such release, certified under the hand and seal of such shipping-commissioner to be a true copy, shall be given by him to any party thereto requiring the same, and such copy shall be receivable in evidence upon any future question touching such claims, and shall have all the effect of the original of which it purports to be a copy.

Fourth. In cases in which discharge and settlement before a shipping-commissioner are required, no payment, receipt, settlement, or discharge otherwise made shall operate as evidence of the release or satisfaction of any claim.

Fifth. Upon payment being made by a master before a shipping-commissioner, the shipping-commissioner shall, if required, sign and give to such master a statement of the whole amount so paid; and such statement shall, between the master and his employer, be received as evidence that he has made the payments therein mentioned. (R. S., 4552.)

Upon every discharge effected before a shipping-commissioner, the master shall make and sign, in the form given in the table marked "B," in the schedule annexed to this Title [R. S., 4501–4613], a report of the conduct, character, and qualifications of the persons discharged; or may state in such form, that he declines to give any opinion upon such particulars, or upon any of them; and the commissioner shall keep a register of the same, and shall, if desired so to do by any seaman, give to him or indorse on his certificate of discharge a copy of so much of such report as concerns him. (R. S., 4553.)

A seaman's right to wages and provisions shall be taken to com-

Digitized by Google

mence either at the time at which he commences work, or at the time specified in the agreement for his commencement of work or presence on board, whichever first happens. (R. S., 4524.)

No right to wages shall be dependent on the earning of freight by the vessel; but every seaman or apprentice who would be entitled to demand and receive any wages if the vessel on which he has served had earned freight, shall, subject to all other rules of law and conditions applicable to the case, be entitled to claim and recover the same of the master or owner in personam, notwithstanding that freight has not been earned. But in all cases of wreck or loss of vessel, proof that any seaman or apprentice has not exerted himself to the utmost to save the vessel, cargo, and stores, shall bar his claim. (R. S., 4525.)

In cases where the service of any seaman terminates before the period contemplated in the agreement, by reason of the loss or wreck of the vessel, such seaman shall be entitled to wages for the time of service prior to such termination, but not for any further period. Such seaman shall be considered as a destitute seaman and shall be treated and transported to port of shipment as provided in sections forty-five hundred and seventy-seven, forty-five hundred and seventy-eight, and forty-five hundred and seventy-nine of the Revised Statutes of the United States. [This section shall not apply to fishing or whaling vessels or yachts—Dec. 21, 1898, sec. 26.] (R. S., 4526; Dec. 21, 1898; sec. 3.)

Any seaman who has signed an agreement and is afterward discharged before the commencement of the voyage or before one month's wages are earned, without fault on his part justifying such discharge, and without his consent, shall be entitled to receive from the master or owner, in addition to any wages he may have earned, a sum equal in amount to one month's wages as compensation, and may, on adducing evidence satisfactory to the court hearing the case, of having been improperly discharged, recover such compensation as if it were wages duly earned. (R. S., 4527.)

No seaman or apprentice shall be entitled to wages for any period during which he unlawfully refuses or neglects to work when required, after the time fixed by the agreement for him to begin work, nor, unless the court hearing the case otherwise directs, for any

Digitized by Google

period during which he is lawfully imprisoned for any offense committed by him. (R. S., 4528.)

The master or owner or any vessel making coasting voyages shall pay to every seaman his wages within two days after the termination of the agreement under which he was shipped, or at the time such seaman is discharged, whichever first happens; and in case of vessels making foreign voyages, or from a port on the Atlantic to a port on the Pacific, or vice versa, within twenty-four hours after the cargo has been discharged, or within four days after the seaman has been discharged, whichever first happens; and in all cases the seaman shall be entitled to be paid at the time of his discharge on account of wages a sum equal to one-third part of the balance due him. Every master or owner who refuses or neglects to make payment in the manner hereinbefore mentioned without sufficient cause shall pay to the seaman a sum equal to two days' pay for each and every day during which payment is delayed beyond the respective periods, which sum shall be recoverable as wages in any claim made before the court; but this section shall not apply to masters or owners of any vessel the seamen of which are entitled to share in the profits of the cruise or voyage. [This section shall not apply to fishing or whaling vessels or yachts—Dec. 21, 1898, sec. 26—but this section shall apply to all vessels engaged in the taking of oysters—June 28, 1906, sec. 4.] (R. S. 4529; Dec. 21, 1898; sec. 4; June 28, 1906; sec. 4. Mar. 4, 1915; sec. 3.) (Effective beginning Nov. 4, 1915.)

Every seaman on a vessel of the United States shall be entitled to receive on demand from the master of the vessel to which he belongs one-half part of the wages which he shall have then earned at every port where such vessel, after the voyage has been commenced, shall load or deliver cargo before the voyage is ended and all stipulations in the contract to the contrary shall be void: *Provided*, Such a demand shall not be made before the expiration of, nor oftener than once in five days. Any failure on the part of the master to comply with this demand shall release the seaman from his contract and he shall be entitled to full payment of wages earned. And when the voyage is ended every such seaman shall be entitled to the remainder of the wages which shall then be due him, as provided in section forty-five hundred and twenty-nine of the Revised Statutes: *Provided further*, That notwithstanding any release signed by any seaman under section forty-five hundred and fifty-two of the Revised Statutes

Digitized by Google

any court having jurisdiction may upon good cause shown set aside such release and take such action as justice shall require: *And provided further*, That this section shall apply to seamen on foreign vessels while in harbors of the United States, and the courts of the United States shall be open to such seamen for its enforcement. [This section shall not apply to fishing or whaling vessels or yachts —Dec. 21, 1898, sec. 26.] (R. S., 4530; Dec. 21, 1898; sec. 5; Mar. 4, 1915, sec. 4.) (Effective on American vessels beginning Nov. 4, 1915; on vessels of foreign nations not covered by treaties Mar. 4, 1916; on vessels of other foreign nations after termination of treaties.)

Whenever the wages of any seaman are not paid withing ten days after the time when the same ought to be paid according to the provisions of this Title [R. S., 4501–4613], or any dispute arises between the master and seamen touching wages, the district judge for the judicial district where the vessel is, or in case his residence be more than three miles from the place, or he be absent from the place of his residence, then, any judge or justice of the peace, or any commissioner of a district court, may summon the master of such vessel to appear before him, to show cause why process should not issue against such vessel, her tackle, apparel, and furniture, according to the course of admiralty courts, to answer for the wages. (R. S., 4546; May 28, 1896.)

If the master against whom such summons is issued neglects to appear, or, appearing, does not show that the wages are paid or otherwise satisfied or forfeited, and if the matter in dispute is not forthwith settled, the judge or justice or commissioner shall certify to the clerk of the district court that there is sufficient cause of complaint whereon to found admiralty process; and thereupon the clerk of such court shall issue process against the vessel. In all cases where the matter in demand does not exceed one hundred dollars the return day of the monition or citation shall be the first day of a stated or special session of court next succeeding the third day after the service of the monition or citation, and on the return of process in open court, duly served, either party may proceed therein to proofs and hearing without other notice, and final judgment shall be given according to the usual course of admiralty courts in such cases. In such suits all the seamen having cause of complaint of the like kind against the same vessel may be joined as complainants, and it shall

Digitized by Google

be incumbent on the master to produce the contract and log book, if required to ascertain any matter in dispute; otherwise the complainants shall be permitted to state the contents thereof, and the burden of proof of the contrary shall be on the master. But nothing herein contained shall prevent any seaman from maintaining any action at common law for the recovery of his wages, or having immediate process out of any court having admiralty jurisdiction wherever any vessel may be found, in case she shall have left the port of delivery where her voyage ended before payment of the wages, or in case she shall be about to proceed to sea before the end of the ten days next after the day when such wages are due, in accordance with section forty-five hundred and twenty-nine of the Revised Statutes. [This section shall not apply to fishing or whaling vessels or yachts—Dec. 21, 1898, sec. 26—but this section shall apply to all vessels engaged in the taking of oysters—June 28, 1906, sec. 4.] (R. S., 4547; Dec. 21, 1898; sec. 6; June 28, 1906; sec. 4.)

Moneys paid under the laws of the United States, by direction of consular officers or agents, at any foreign port or place, as wages, extra or otherwise, due American seamen, shall be paid in gold or its equivalent, without any deduction whatever any contract to the contrary notwithstanding. (R. S., 4548.)

Any question concerning the forfeiture of, or deductions from, the wages of any seaman or apprentice, may be determined in any proceeding lawfully instituted with respect to such wages, notwithstanding the offense in respect of which such question arises, though hereby made punishable by imprisonment as well as forfeiture, has not been made the subject of any criminal proceeding. (R. S., 4603.)

Whenever in any proceeding relating to seamen's wages it is shown that any seaman or apprentice has, in the course of the voyage, been convicted of any offense by any competent tribunal, and rightfully punished therefor, by imprisonment or otherwise, the court hearing the case may direct a part of the wages due to such seaman not exceeding fifteen dollars, to be applied in reimbursing any costs properly incurred by the master in procuring such conviction and punishment. (R. S., 4605.)

Advances and allotments of wages.

(*a*) It shall be, and is hereby, made unlawful in any case to pay

Digitized by Google

any seaman wages in advance of the time when he has actually earned the same, or to pay such advance wages, or to make any order, or note, or other evidence of indebtedness therefor to any other person, or to pay any person, for the shipment of seamen when payment is deducted or to be deducted from a seaman's wages. Any person violating any of the foregoing provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than $25 nor more than $100, and may also be imprisoned for a period of not exceeding six months, at the discretion of the court. The payment of such advance wages or allotment shall in no case except as herein provided absolve the vessel or the master or the owner thereof from the full payment of wages after the same shall have been actually earned, and shall be no defense to a libel suit or action of the recovery of such wages. If any person shall demand or receive, either directly or indirectly, from any seaman or other person seeking employment, as seaman, or from any person on his behalf, any remuneration whatever for providing him with employment, he shall for every such offense be deemed guilty of a misdemeanor and shall be imprisoned not more than six months or fined not more than $500.

(*b*) It shall be lawful for any seaman to stipulate in his shipping agreement for an allotment of any portion of the wages he may earn to his grandparents, parents, wife, sister, or children.

(*c*) No allotment shall be valid unless in writing and signed by and approved by the shipping-commissioner. It shall be the duty of the said commissioner to examine such allotments and the parties to them and enforce compliance with the law. All stipulations for the allotment of any part of the wages of a seaman during his absence which are made at the commencement of the voyage shall be inserted in the agreement and shall state the amounts and times of the payments to be made and the persons to whom the payments are to be made.

(*d*) No allotment except as provided for in this section shall be lawful. Any person who shall falsely claim to be such relation, as above described, of a seaman under this section shall for every such offense be punished by a fine not exceeding $500 or imprisonment not exceeding six months, at the discretion of the court.

(*e*) This section shall apply as well to foreign vessels while in waters of the United States, as to vessels of the United States, and any master, owner, consignee, or agent of any foreign vessel who

Digitized by Google

has violated its provisions shall be liable to the same penalty that the master, owner, or agent of a vessel of the United States would be for similar violation.

The master, owner, consignee, or agent of any vessel of the United States, or of any foreign vessel seeking clearance from a port of the United States, shall present his shipping articles at the office of clearance, and no clearance shall be granted any such vessel unless the provisions of this section have been complied with.

(*f*) Under the direction of the Secretary of Commerce the Commissioner of Navigation shall make regulations to carry out this section. [This section shall not apply to fishing or whaling vessels or yachts—Dec. 21, 1898, sec. 26—but this section shall apply to all vessels engaged in the taking of oysters—June 28, 1906, sec. 4.] (Dec. 21, 1898; sec. 24; Apr. 26, 1904; June 28, 1906; sec. 4; Mar. 4, 1915; sec. 11.) (Effective on American vessels beginning Nov. 4, 1915; on vessels of foreign nations not covered by treaties Mar. 4, 1916; on vessels of other foreign nations after termination of treaties.)

Wages and clothing exempt from attachment.

No wages due or accruing to any seaman or apprentice shall be subject to attachment or arrestment from any court, and every payment of wages to a seaman or apprentice shall be valid in law, notwithstanding any previous sale or assignment of wages or of any attachment, encumbrance, or arrestment thereon; and no assignment or sale of wages or of salvage made prior to the accruing thereof shall bind the party making the same, except such allotments as are authorized by this title. This section shall apply to fishermen employed on fishing vessels as well as to seamen: *Provided*, That nothing contained in this or any preceding section shall interfere with the order by any court regarding the payment by any seaman of any part of his wages for the support and maintenance of his wife and minor children. (Mar. 4, 1915; sec. 12.) (Effective beginning Nov. 4, 1915.)

The clothing of any seaman shall be exempt from attachment, and any person who shall detain such clothing when demanded by the owner shall be deemed guilty of a misdemeanor, and shall be imprisoned not more than six months or fined not more than five hundred dollars, or both. (Feb. 18, 1895; Apr. 11, 1904.)

Digitized by Google

No sum exceeding one dollar shall be recoverable from any seaman, by any one person, for any debt contracted during the time such seaman shall actually belong to any vessel, until the voyage for which such seaman engaged shall be ended. (R. S., 4537.)

Desertion of seamen abroad.

It shall be the duty of all consular officers to discountenance insubordination by every means in their power and, where the local authorities can be usefully employed for that purpose, to lend their aid and use their exertions to that end in the most effectual manner. In all cases where seamen or officers are accused, the consular officer shall inquire into the facts and proceed as provided in section forty-five hundred and eighty-three of the Revised Statutes; and the officer discharging such seaman shall enter upon the crew list and shipping articles and official log the cause of such discharge and the particulars in which the cruel or unusual treatment consisted and subscribe his name thereto officially. He shall read the entry made in the official log to the master, and his reply thereto, if any, shall likewise be entered and subscribed in the same manner. (R. S., 4600; Dec. 21, 1898; sec. 21; Mar. 4, 1915; sec. 8.) (Effective beginning Nov. 4, 1915.)

Desertion of foreign seamen in the United States.

On application of a consul or vice-consul of any foreign government having a treaty with the United States stipulating for the restoration of seamen deserting, made in writing, stating that the person therein named has deserted from a vessel of any such government, while in any port of the United States, and on proof by the exhibition of the register of the vessel, ship's roll, or other official document, that the person named belonged, at the time of desertion, to the crew of such vessel, it shall be the duty of any court, judge, commissioner of any circuit court, justice, or other magistrate, having competent power, to issue warrants to cause such person to be arrested for examination. If, on examination, the facts stated are found to be true, the person arrested not being a citizen of the United States, shall be delivered up to the consul or vice-consul, to be sent back to the dominions of any such government, or, on the request and at the expense of the consul or vice-consul, shall be detained until the consul or vice-consul finds an opportunity to send him back to the dominions of any such government. No person so arrested shall be

Digitized by Google

detained more than two months after his arrest; but at the end of that time shall be set at liberty, and shall not be again molested for the same cause. If any such deserter shall be found to have committed any crime or offense, his surrender may be delayed until the tribunal before which the case shall be depending, or may be cognizable, shall have pronounced its sentence, and such sentence shall have been carried into effect. (R. S., 5280.)

Repeal of treaties and conventions.

In the judgment of Congress articles in treaties and conventions of the United States, in so far as they provide for the arrest and imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of the United States in foreign countries, and for the arrest and imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of foreign nations in the United States and the Territories and possessions thereof, and for the cooperation, aid, and protection of competent legal authorities in effecting such arrest or imprisonment and any other treaty provision in conflict with the provisions of this Act, ought to be terminated, and to this end the President be, and he is hereby, requested and directed, within ninety days after the passage of this Act, to give notice to the several Governments, respectively, that so much as hereinbefore described of all such treaties and conventions between the United States and foreign Governments will terminate on the expiration of such periods after notices have been given as may be required in such treaties and conventions. (Mar. 4, 1915; sec. 16.)

Upon the expiration after notice of the periods required, respectively, by said treaties and conventions and of one year in the case of the independent State of the Kongo, so much as hereinbefore described in each and every one of said articles shall be deemed and held to have expired and to be of no force and effect, and thereupon section fifty-two hundred and eighty and so much of section four thousand and eighty-one of the Revised Statutes as relates to the arrest or imprisonment of officers and seamen deserting or charged with desertion from merchant vessels of foreign nations in the United States and Territories and possessions thereof, and for the cooperation, aid, and protection of competent legal authorities in effecting such arrest or imprisonment, shall be, and is hereby, repealed. (Sec. 17.)

Digitized by Google

Arbitration before shipping commissioner.

Every shipping-commissioner shall hear and decide any question whatsoever between a master, consignee, agent, or owner, and any of his crew, which both parties agree in writing to submit to him; and every award so made by him shall be binding on both parties, and shall, in any legal proceedings which may be taken in the matter, before any court of justice, be deemed to be conclusive as to the rights of parties. And any document under the hand and official seal of a commissioner purporting to be such submission or award, shall be prima-facie evidence thereof. (R. S., 4554; Aug. 19, 1890.)

In any proceeding relating to the wages, claims, or discharge of a seaman, carried on before any shipping-commissioner, under the provisions of this Title [R. S., 4501–4613], such shipping-commissioner may call upon the owner, or his agent, or upon the master, or any mate, or any other member of the crew, to produce any log-books, papers, or other documents in their possession or power, respectively, relating to any matter in question in such proceedings, and may call before him and examine any of such persons, being then at or near the place, on any such matter; and every owner, agent, master, mate, or other member of the crew who, when called upon by the shipping-commissioner, does not produce any such books, papers, or documents, if in his possession or power, or does not appear and give evidence, shall, unless he shows some reasonable cause for such a default, be liable to a penalty of not more than one hundred dollars for each offense; and, on application made by the shipping-commissioner, shall be further punished, in the discretion of the court, as in other cases of contempt of the process of the court. (R. S., 4555.)

Soliciting lodgers.

If, within twenty-four hours after the arrival of any vessel at any port in the United States, any person, then being on board such vessel, solicits any seaman to become a lodger at the house of any person letting lodgings for hire, or takes out of such vessel any effects of any seaman, except under his personal direction, and with the permission of the master, he shall, for every such offense, be punishable by a fine of not more than fifty dollars, or by imprisonment for not more than three months. This section shall apply to vessels of the United States engaged in the foreign trade and to foreign vessels. (R. S., 4607; Apr. 13, 1904.)

Digitized by Google

Return of seamen from foreign ports, Alaska, and insular ports.

It shall be the duty of the consuls, vice-consuls, commercial agents, and vice-commercial agents, from time to time, to provide for the seamen of the United States, who may be found destitute within their districts, respectively, sufficient subsistence and passages to some port in the United States, in the most reasonable manner, at the expense of the United States, subject to such instructions as the Secretary of State shall give. The seamen shall, if able, be bound to do duty on board the vessels in which they may be transported, according to their several abilities. (R. S., 4577.)

Relief and protection of American seamen in foreign countries, and shipwrecked American seamen in the Territory of Alaska, in the Hawaiian Islands, Porto Rico, the Panama Canal Zone, and the Philippine Islands, $20,000. (Mar. 4, 1915.)

All masters of vessels of the United States, and bound to some port of the same, are required to take such destitute seamen on board their vessels, at the request of consular officers, and to transport them to the port in the United States to which such vessel may be bound, on such terms, not exceeding ten dollars for each person for voyages of not more than thirty days, and not exceeding twenty dollars for each person for longer voyages, as may be agreed between the master and the consular officer, when the transportation is by a sailing vessel; and the regular steerage passenger rate not to exceed two cents per mile when the transportation is by steamer; and said consular officer shall issue certificates for such transportation, which certificates shall be assignable for collection. If any such destitute seaman is so disabled or ill as to be unable to perform duty, the consular officer shall so certify in the certificate of transportation, and such additional compensation shall be paid as the Comptroller of the Treasury shall deem proper. Every such master who refuses to receive and transport such seamen on the request or order of such consular officer shall be liable to the United States in a penalty of one hundred dollars for each seaman so refused. The certificate of any such consular officer, given under his hand and official seal, shall be presumptive evidence of such refusal in any court of law having jurisdiction for the recovery of the penalty. No master of any vessel shall, however, be obliged to take a greater number than one man to every one hundred tons burden of the vessel on any one voyage, or

Digitized by Google

to take any seaman having a contagious disease. (R. S., 4578; June 26, 1884; sec. 9; June 19, 1886; sec. 18.)

Whenever distressed seamen of the United States are transported from foreign ports where there is no consular officer of the United States, to ports of the United States, there shall be allowed to the master or owner of each vessel, in which they are transported, such reasonable compensation, in addition to the allowance now fixed by law, as shall be deemed equitable by the Comptroller of the Treasury. (R. S., 4579.)

Effects of deceased seamen.

Whenever any seaman or apprentice belonging to or sent home on any merchant vessel, whether a foreign-going or domestic vessel, employed on a voyage which is to terminate in the United States, dies during such voyage, the master shall take charge of all moneys, clothes, and effects which he leaves on board, and shall, if he thinks fit, cause all or any of such clothes and effects to be sold by auction at the mast or other public auction, and shall thereupon sign an entry in the official log-book, and cause it to be attested by the mate and one of the crew, containing the following particulars:

First. A statement of the amount of money so left by the deceased.

Second. In case of a sale, a description of each article sold, and the sum received for each.

Third. A statement of the sum due to deceased as wages, and the total amount of deductions, if any, to be made therefrom. (R. S., 4538.)

In cases embraced by the preceding section, the following rules shall be observed:

First. If the vessel proceeds at once to any port in the United States, the master shall, within forty-eight hours after his arrival, deliver any such effects remaining unsold, and pay any money which he has taken charge of, or received from such sale, and the balance of wages due to the deceased, to the shipping-commissioner at the port of destination in the United States.

Second. If the vessel touches and remains at some foreign port before coming to any port in the United States, the master shall report the case to the United States consular officer there, and shall give to such officer any information he requires as to the destina-

Digitized by Google

tion of the vessel and probable length of the voyage; and such officer may, if he considers it expedient so to do, require the effects, money, and wages to be delivered and paid to him, and shall, upon such delivery and payment, give to the master a receipt; and the master shall within forty-eight hours after his arrival at his port of destination in the United States produce the same to the shipping-commissioner there. Such consular officer shall, in any such case, indorse and certify upon the agreement with the crew the particulars with respect to such delivery and payment.

Third. If the consular officer does not require such payment and delivery to be made to him, the master shall take charge of the effects, money, and wages, and shall, within forty-eight hours after his arrival at his port of destination in the United States, deliver and pay the same to the shipping-commissioner there.

Fourth. The master shall, in all cases in which any seaman or apprentice dies during the voyage or engagement, give to such officer or shipping-commissioner an account, in such form as they may respectively require, of the effects, money, and wages so to be delivered and paid; and no deductions claimed in such account shall be allowed unless verified by an entry in the official log-book, if there be any; and by such other vouchers, if any, as may be reasonably required by the officer or shipping-commissioner to whom the account is rendered.

Fifth. Upon due compliance with such of the provisions of this section as relate to acts to be done at the port of destination in the United States, the shipping-commissioner shall grant to the master a certificate to that effect. No officer of customs shall clear any foreign-going vessel without the production of such certificate. (R. S., 4539.)

Whenever any master fails to take such charge of the money or other effects of a seaman or apprentice during a voyage, or to make such entries in respect thereof, or to procure such attestation to such entries, or to make such payment or delivery of any money, wages, or effects of any seaman or apprentice dying during a voyage, or to give such account in respect thereof as is above directed, he shall be accountable for the money, wages, and effects of the seaman or apprentice to the district court in whose jurisdiction such port of destination is situate, and shall pay and deliver the same accordingly; and he shall, in addition, for every such offense, be liable to a penalty

Digitized by Google

of not more than treble the value of the money or effects, or, if such value is not ascertained, not more than two hundred dollars; and if any such money, wages, or effects are not duly paid, delivered and accounted for by the master, the owner of the vessel shall pay, deliver, and account for the same, and such money and wages and the value of such effects shall be recoverable from him accordingly; and if he fails to account for and pay the same, he shall, in addition to his liability for the money and value, be liable to the same penalty which is incurred by the master for a like offense; and all money, wages, and effects of any seaman or apprentice dying during a voyage shall be recoverable in the courts and by the modes of proceeding by which seaman are enabled to recover wages due to them. (R. S., 4540.)

Whenever any such seaman or apprentice dies at any place out of the United States, leaving any money or effects not on board of his vessel, the consular officer of the United States at or nearest the place shall claim and take charge of such money and effects, and shall, if he thinks fit, sell all or any of such effects, or any effects of any deceased seaman or apprentice delivered to him under the provisions of this Title [R. S., 4501–4613], and shall quarterly remit to the district court for the district embracing the port from which such vessel sailed, or the port where the voyage terminates, all moneys belonging to or arising from the sale of the effects or paid as the wages of any deceased seamen or apprentices which have come to his hands; and shall render such accounts thereof as the circuit court requires. (R. S., 4541; Mar. 3, 1897; sec. 4.)

Whenever any seaman or apprentice dies in the United States, and is, at the time of his death, entitled to claim from the master or owner of any vessel in which he has served, any unpaid wages or effects, such master or owner shall pay and deliver, or account for the same, to the shipping-commissioner at the port where the seaman or apprentice was discharged, or was to have been discharged, or where he died. (R. S., 4542; Mar. 3, 1897; sec. 6.)

Every shipping-commissioner in the United States shall, within one week from the date of receiving any such money, wages, or effects of any deceased seaman or apprentice, pay, remit, or deliver to the district court of the district in which he resides, the money, wages, or effects, subject to such deductions as may be allowed by the dis-

Digitized by Google

trict court for expenses incurred in respect to such money and effects; and should any commissioner fail to pay, remit, and deliver the same to the district court, within the time hereinbefore mentioned, he shall incur a penalty of not more than treble the value of such money and effects. (R. S., 4543.)

If the money and effects of any seaman or apprentice paid, remitted, or delivered to the district court, including the moneys received for any part of his effects which have been sold, either before delivery to the district court, or by its directions, do not exceed in value the sum of three hundred dollars, then, subject to the provisions hereinafter contained, and to all such deductions for expenses incurred in respect to the seaman or apprentice, or of his money and effects, as the said court thinks fit to allow, the court may pay and deliver the said money and effects to any claimants who can prove themselves either to be his widow or children, or to be entitled to the effects of the deceased under his will, or under any statute, or at common law, or to be entitled to procure probate, or take out letters of administration or confirmation, although no probate or letters of administration or confirmation have been taken out, and shall be thereby discharged from all further liability in respect of the money and effects so paid and delivered; or may, if he thinks fit so to do, require probate, or letters of administration or confirmation, to be taken out, and thereupon pay and deliver the said money and effects to the legal personal representatives of the deceased; and if such money and effects exceed in value the sum of three hundred dollars, then, subject to deduction for expenses, the court shall pay and deliver the same to the legal personal representatives of the deceased. (R. S., 4544.)

A district court, in its discretion, may at any time direct the sale of the whole or any part of the effects of a deceased seaman or apprentice, which it has received or may hereafter receive, and shall hold the proceeds of such sale as the wages of deceased seamen are held. When no claim to the wages or effects or proceeds of the sale of the effects of a deceased seaman or apprentice, received by a district court, is substantiated within six years after the receipt thereof by the court, it shall be in the absolute discretion of the court, if any subsequent claim is made, either to allow or refuse the same. Such courts shall, from time to time, pay any moneys arising from the unclaimed wages and effects of deceased seamen, which in their opinion

Digitized by Google

it is not necessary to retain for the purpose of satisfying claims, into the Treasury of the United States, and such moneys shall form a fund for, and be appropriated to, the relief of sick and disabled and destitute seamen belonging to the United States merchant marine service. (R. S., 4545; Mar. 3, 1897; sec. 7.)

Sick and disabled seamen.

The President is authorized to receive donations of real or personal property, in the name of the United States, for the erection or support of hospitals for sick and disabled seamen. (R. S., 4801.)

The term "seaman," wherever employed in legislation relating to the marine-hospital service, shall be held to include any person employed on board in the care, preservation, or navigation of any vessel, or in the service, on board, of those engaged in such care, preservation, or navigation. (Mar. 3, 1875; sec. 3.)

No person employed in or connected with the navigation, management, or use of canal-boats engaged in the coasting-trade shall by reason thereof be entitled to any benefit or relief from the marine-hospital fund. (R. S., 4804.)

Sick and disabled seamen of foreign vessels and of vessels [not subject to hospital-dues] may be cared for by the marine-hospital service at such rates and under such regulations as the Secretary of the Treasury may prescribe. (Mar. 3, 1875; sec. 6.)

Sick foreign seamen may be admitted to the marine hospitals within the United States, if it can with convenience be done, on the application of the master of any foreign vessel to which any such seaman may belong. Each seaman so admitted shall be subject to a charge of [seventy-five cents] per day for each day he may remain in the hospital, which shall be paid by the master of such foreign vessel to the collector of the collection-district in which such hospital is situated. And the collector shall not grant a clearance to any foreign vessel until the money so due from her master shall be paid. The officer in charge of each hospital is hereby directed, under penalty of fifty dollars, to make out the accounts against each foreign seaman that may be placed in the hospital under his direction, and render the same to the collector. (R. S., 4805; Mar. 3, 1875; sec. 6.)

Digitized by Google

Insane patients of said [marine hospital] service shall be admitted into the Government Hospital for the Insane upon the order of the Secretary of the Treasury, and shall be cared for therein until cured or until removed by the same authority; and the charge for each such patient shall not exceed four dollars and fifty cents a week, which charge shall be paid out of the marine-hospital fund. (Mar. 3, 1875; sec. 5.)

The privilege of admission to and temporary treatment in the marine hospitals under the control of the Government of the United States be, and is hereby, extended to the keepers and crews of the Life-Saving Service under the same rules and regulations as those governing sailors and seamen, and for the purposes of this Act members of the Life-Saving Service shall be received in said hospitals and treated therein, and at the dispensaries thereof, as are seamen of American registered vessels; but this Act shall not be so construed as to compel the establishment of hospitals or dispensaries for the benefit of said keepers and crews, nor as establishing a home for the same when permanently disabled. (Aug. 4, 1894.)

Jurisdiction over American seamen in foreign ports and foreign seamen in American ports.

Whenever it is stipulated by treaty or convention between the United States and any foreign nation that the consul-general, consuls, vice-consuls, or consular or commercial agents of each nation, shall have exclusive jurisdiction of controversies, difficulties, or disorders arising at sea or in the waters or ports of the other nation, between the master or officers and any of the crew, or between any of the crew themselves, of any vessel belonging to the nation represented by such consular officer, such stipulations shall be executed and enforced within the jurisdiction of the United States as hereinafter declared. But before this section shall take effect as to the vessels of any particular nation having such treaty with the United States, the President shall be satisfied that similar provisions have been made for the execution of such treaty by the other contracting party, and shall issue his proclamation to that effect, declaring this section to be in force as to such nation. (R. S., 4079.)

In all cases within the purview of the preceding section the consul-general, consul, or other consular or commercial authority of such foreign nation charged with the appropriate duty in the particular

Digitized by Google

case, may make application to any court of record of the United States, or to any judge thereof, or to any commissioner of a district court, setting forth that such controversy, difficulty, or disorder has arisen, briefly stating the nature thereof, and when and where the same occurred, and exhibiting a certified copy or abstract of the shipping-articles, roll, or other proper paper of the vessel, to the effect that the person in question is of the crew or ship's company of such vessel; and further stating and certifying that such person has withdrawn himself, or is believed to be about to withdraw himself, from the control and discipline of the master and officers of the vessel, or that he has refused, or is about to refuse, to submit to and obey the lawful jurisdiction of such consular or commercial authority in the premises; and further stating and certifying that, to the best of the knowledge and belief of the officer certifying, such person is not a citizen of the United States. Such application shall be in writing and duly authenticated by the consular or other sufficient official seal. Thereupon such court, judge, or commissioner shall issue his warrant for the arrest of the person so complained of, directed to the marshal of the United States for the appropriate district, or in his discretion to any person, being a citizen of the United States, whom he may specially depute for the purpose, requiring such person to be brought before him for examination at a certain time and place. (R. S., 4080; May 28, 1896.)

If, on such examination, it is made to appear that the person so arrested is a citizen of the United States, he shall be forthwith discharged from arrest, and shall be left to the ordinary course of law. But if this is not made to appear, and such court, judge, or commissioner finds, upon the papers hereinbefore referred to, a sufficient prima-facie case that the matter concerns only the internal order and discipline of such foreign vessels, or, whether in its nature civil or criminal, does not affect directly the execution of the laws of the United States, or the rights and duties of any citizen of the United States, he shall forthwith, by his warrant, commit such person to prison, where prisoners under sentence of a court of the United States may be lawfully committed, or, in his discretion, to the master or chief officer of such foreign vessel, to be subject to the lawful orders, control, and discipline of such master or chief officer, and to the jurisdiction of the consular or commercial authority of the nation to which such vessel belongs, to the exclusion of any authority

Digitized by Google

or jurisdiction in the premises of the United States or any State thereof. No person shall be detained more than two months after his arrest, but at the end of that time shall be set at liberty and shall not again be arrested for the same cause. The expenses of the arrest and the detention of the person so arrested shall be paid by the consular officer making the application. (R. S., 4081.) (See R. S., 5280 as amended Mar. 4, 1915.)

The district courts, and the United States commissioners, shall have power to carry into effect, according to the true intent and meaning thereof, the award, or arbitration, or decree of any consul, vice-consul, or commercial agent of any foreign nation, made or rendered by virtue of authority conferred on him as such consul, vice-consul, or commercial agent, to sit as judge or arbitrator in such differences as may arise between the captains and crews of the vessels belonging to the nation whose interests are committed to his charge, application for the exercise of such power being first made to such court or commissioner by petition of such consul, vice-consul, or commercial agent. And said courts and commissioners may issue all proper remedial process, mesne and final, to carry into full effect such award, arbitration, or decree, and to enforce obedience thereto, by imprisonment in the jail or other place of confinement in the district in which the United States may lawfully imprison any person arrested under the authority of the United States, until such award, arbitration, or decree is complied with, or the parties are otherwise discharged therefrom, by the consent in writing of such consul, vice-consul, or commercial agent, or his successor in office, or by the authority of the foreign government appointing such consul, vice-consul, or commercial agent: *Provided, however*, That the expenses of the said imprisonment, and maintenance of the prisoners, and the cost of the proceedings, shall be borne by such foreign government, or by its consul, vice-consul, or commercial agent requiring such imprisonment. The marshals of the United States shall serve all such process, and do all other acts necessary and proper to carry into effect the premises, under the authority of the said courts and commissioners. (R. S., 728; Mar. 3, 1911; sec. 271.)

Seamen's witness fees.

There shall be paid to each seaman or other person who is sent to the United States from any foreign port, station, sea, or ocean,

Digitized by Google

by any United States minister, chargé d'affaires, consul, captain, or commander, to give testimony in any criminal case depending in any court of the United States, such compensation, exclusive of subsistence and transportation, as such court may adjudge to be proper, not exceeding one dollar for each day necessarily employed in such voyage, and in arriving at the place of examination or trial. In fixing such compensation, the court shall take into consideration the condition of said seaman or witness, and whether his voyage has been broken up, to his injury, by his being sent to the United States. When such seaman or person is transported in an armed vessel of the United States no charge for subsistence or transportation shall be allowed. When he is transported in any other vessel, the compensation for his transportation and subsistence, not exceeding in any case fifty cents a day, may be fixed by the court, and shall be paid to the captain of said vessel accordingly. (R. S. 851.)

Manning of merchant vessels.

In all merchant vessels of the United States of more than one hundred tons gross, excepting those navigating rivers, harbors, bays, or sounds exclusively, the sailors shall, while at sea, be divided into at least two, and the firemen, oilers, and water tenders into at least three watches, which shall be kept on duty successively for the performance of ordinary work incident to the sailing and management of the vessel. The seamen shall not be shipped to work alternately in the fireroom and on deck, nor shall those shipped for deck duty be required to work in the fireroom, or vice versa; but these provisions shall not limit either the authority of the master or other officer or the obedience of the seamen when, in the judgment of the master or other officer, the whole or any part of the crew are needed for the maneuvering of the vessel or the performance of work necessary for the safety of the vessel or her cargo, or for the saving of life aboard other vessels in jeopardy, or when in port or at sea from requiring the whole or any part of the crew to participate in the performance of fire, lifeboat, and other drills. While such vessel is in a safe harbor no seaman shall be required to do any unnecessary work on Sundays or the following-named days: New Year's Day, the Fourth of July, Labor Day, Thanksgiving Day and Christmas Day, but this shall not prevent the dispatch of a vessel on regular schedule or when ready to proceed on her voyage. And at all times while such vessel is in a safe harbor, nine hours, inclusive of the anchor

Digitized by Google

watch, shall constitute a 'day's work. Whenever the master of any vessel shall fail to comply with this section, the seamen shall be entitled to discharge from such vessel and to receive the wages earned. But this section shall not apply to fishing or whaling vessels, or yachts. (Mar. 4, 1915; sec. 2.) (Effective beginning Nov. 4, 1915.)

No vessel of one hundred tons gross and upward, except those navigating rivers exclusively and the smaller inland lakes and except as provided in section one of this Act, shall be permitted to depart from any port of the United States unless she has on board a crew not less than seventy-five per centum of which, in each department thereof, are able to understand any order given by the officers of such vessel, nor unless forty per centum in the first year, forty-five per centum in the second year, fifty per centum in the third year, fifty-five per centum in the fourth year after the passage of this Act, and thereafter sixty-five per centum of her deck crew, exclusive of licensed officers and apprentices, are of a rating not less than able seaman. Every person shall be rated an able seaman, and qualified for service as such on the seas, who is nineteen years of age or upward, and has had at least three years' service on deck at sea or on the Great Lakes, on a vessel or vessels to which this section applies, including decked fishing vessels, naval vessels or coast guard vessels; and every person shall be rated an able seaman, and qualified to serve as such on the Great Lakes and on the smaller lakes, bays or sounds, who is nineteen years of age or upward and has had at least eighteen months' service on deck at sea or on the Great Lakes or on the smaller lakes, bays, or sounds, on a vessel or vessels to which this section applies, including decked fishing vessels, naval vessels, or coast guard vessels; and graduates of school ships approved by and conducted under rules prescribed by the Secretary of Commerce may be rated able seamen after twelve months' service at sea: *Provided*, That upon examination, under rules prescribed by the Department of Commerce as to eyesight, hearing, and physical condition, such persons or graduates are found to be competent: *Provided further*, That upon examination, under rules prescribed by the Department of Commerce as to eyesight, hearing, physical condition, and knowledge of the duties of seamanship a person found competent may be rated as able seaman after having served on deck twelve months at sea, or on the Great Lakes; but seamen examined and rated able seamen under this proviso shall not in any case compose more than one-fourth of

Digitized by Google

the number of able seamen required by this section to be shipped or employed upon any vessel.

Any person may make application to any board of local inspectors for a certificate of service as able seaman, and upon proof being made to said board by affidavit and examination, under rules approved by the Secretary of Commerce, showing the nationality and age of the applicant and the vessel or vessels on which he has had service and that he is entitled to such certificate under the provisions of this section, the board of local inspectors shall issue to said applicant a certificate of service, which shall be retained by him and be accepted as prima facie evidence of his rating as an able seaman.

Each board of local inspectors shall keep a complete record of all certificates of service issued by them and to whom issued and shall keep on file the affidavits upon which said certificates are issued.

The collector of customs may, upon his own motion, and shall, upon the sworn information of any reputable citizen of the United States setting forth that this section is not being complied with cause a muster of the crew of any vessel to be made to determine the fact; and no clearance shall be given to any vessel failing to comply with the provisions of this section: *Provided*, That the collector of customs shall not be required to cause such muster of the crew to be made unless said sworn information has been filed with him for at least six hours before the vessel departs, or is scheduled to depart: *Provided further*, That any person that shall knowingly make a false affidavit for such purpose shall be deemed guilty of perjury and upon conviction thereof shall be punished by a fine not exceeding $500 or by imprisonment not exceeding one year, or by both such fine and imprisonment, within the discretion of the court. Any violation of any provision of this section by the owner, master, or officer in charge of the vessel shall subject the owner of such vessel to a penalty of not less than $100 and not more than $500: *And provided further*, That the Secretary of Commerce shall make such rules and regulations as may be necessary to carry out the provisions of this section, and nothing herein shall be held or construed to prevent the Board of Supervising Inspectors, with the approval of the Secretary of Commerce, from making rules and regulations authorized by law as to vessels excluded from the operation of this section. (Mar. 4, 1915; sec. 13.) (Effective on American vessels beginning Nov. 4, 1915; on vessels of foreign nations not covered by treaties

Digitized by Google

Mar. 4, 1916; on vessels of other foreign nations after termination of treaties.)

Undermanning.

In case of desertion or casualty resulting in the loss of one or more of the seamen, the master must ship, if obtainable, a number equal to the number of those whose services he has been deprived of by desertion or casualty, who must be of the same or higher grade or rating with those whose places they fill, and report the same to the United States consul at the first port at which he shall arrive, without incurring the penalty prescribed by the two preceding sections. This section shall not apply to fishing or whaling vessels or yachts. (R. S., 4516; Dec. 21, 1898; sec. 1; Mar. 4, 1915; sec. 1.) (Effective beginning Nov. 4, 1915.)

Fellow-servant clause.

In any suit to recover damages for any injury sustained on board vessel or in its service seamen having command shall not be held to be fellow-servants with those under their authority. (Mar. 4, 1915; sec. 20.) (Effective beginning Nov. 4, 1915.)

Unseaworthy vessels.

If any person knowingly sends or attempts to send or is party to the sending or attempting to send an American ship to sea, in the foreign or coastwise trade, in such an unseaworthy state that the life of any person is likely to be thereby endangered, he shall, in respect of each offense, be guilty of a misdemeanor, and shall be punished by a fine not to exceed one thousand dollars or by imprisonment not to exceed five years, or both, at the discretion of the court, unless he proves that either he used all reasonable means to insure her being sent to sea in a seaworthy state, or that her going to sea in an unseaworthy state was, under circumstances, reasonable and justifiable, and for the purposes of giving that proof he may give evidence in the same manner as any other witness. [This section shall not apply to fishing or whaling vessels or yachts.—Dec. 21, 1898, sec. 26; Dec. 21, 1898; sec. 11.]

War risk insurance.

"SEC. 3a. That whenever it shall appear to the Secretary of the Treasury that the effecting of such insurance is desirable in the

Digitized by Google

national interest in the case of vessels engaged in any trade, the owner of every American merchant vessel engaged in such trade shall insure the master, officers, and crew of such vessel against loss of life or personal injury from war risks as well as for compensation during detention by an enemy of the United States following capture.

"Such insurance shall be effected either with the Bureau of War Risk Insurance or in insurance companies, and on terms satisfactory to the Secretary of the Treasury.

"Such insurance shall provide, and the Bureau of War Risk Insurance is authorized to write policies so providing—

"(*a*) In case of death, permanent disability which prevents the person injured from performing any and every kind of duty pertaining to his occupation, or the loss of both hands, both arms, both feet, both legs, or both eyes, or any two thereof, for the payment of an amount equivalent to one year's earnings, or to twelve times the monthly earnings of the insured, as fixed in the articles for the voyage (hereinafter referred to as the principal sum), but in no case shall such amount be more than $5000 or less than $1500;

"(*b*) In case of any of the following losses, for the payment of the percentage of the principal sum indicated in the following tables:

"One hand, fifty per centum;

"One arm, sixty-five per centum;

"One foot, fifty per centum;

"One leg, sixty-five per centum;

"One eye, forty-five per centum;

"Total destruction of hearing, fifty per centum;

"That the Bureau of War Risk Insurance may include in its policy undertakings to pay specified percentages of the principal sum for other losses or disabilities; and

"(*c*) In case of detention by an enemy of the United States, following capture, for the payment during the continuance of such detention of compensation at the same rate as the earnings of the insured immediately preceding such detention, to be determined in substantially the same manner as provided in subdivision (*a*) of this section.

"The aggregate payments under this section in respect to any one person shall not exceed the amount of the principal sum.

"Payments provided for in this section shall be made only to the master, officer, or member of the crew concerned, except that a payment for loss of life shall be made to the estate of the insured for

Digitized by Google

distribution to his family free from liability of debt, and payment on account of detention by an enemy following capture shall be made to dependents of the person detained, if designated by him.

"No claim under this section shall be valid unless made by the master, officer, or member of the crew concerned, or his estate, or a person designated under this section, within two years after the date on which the President suspends the operations of this Act in so far as it authorizes insurance by the United States."

"SEC. 3*b*. That in the event of failure of the owner of any vessel to effect insurance of the master, officers, and crew of such vessel prior to sailing, in accordance with section three *a* of this Act, the Secretary of the Treasury is hereby authorized to effect such insurance with the Bureau of War Risk Insurance at the expense of the owner of such vessel, and the latter shall be liable for such expense, and, in addition, to a penalty of not exceeding $1000. The amount of such premium, with interest and of the penalty and of all costs, shall be a lien on the vessel." (June 12, 1917.)

Digitized by Google

CHAPTER XXV

DISCIPLINE AT SEA

Authority, to some minds, means oppression and injustice; people so constituted should stay ashore; a ship has no use for them—they simply cannot get along.

The orderly man lives his life aboard ship with the greatest freedom.

Discipline at sea is largely a matter of common sense. Officers who know their business have very little trouble in achieving perfect discipline. The laws governing lack of ability bear hard on the man who has shipped to do work he is not qualified for. The disturber has a hard time when handled by a Master who knows the law and his authority.

The laws relating to offenses on board ship are appended, not as guide to crime, but to inform the seaman of the fact that the flag and the laws of the land follow the ship out beyond the three-mile limit.

Some officers have a way with them that carries along the work of the vessel without friction and with the utmost amount of dispatch. These officers know their business thoroughly. They are absolutely just, which means that the slacker and malingerer are given the full brunt of disapproval. The " coming down " on a loafer, good and hard, helps more to bring forth respect for an officer than anything else. When this is coupled by even-handed justice, and a human way of doing things, such as looking out for the comfort of their men, a happy vessel is bound to be the result.

Seamen like nothing better than to know that they are under officers who will run things on the level. It is like being under a decent government that helps the weak and

Digitized by Google

curbs the strong—there is a fascination to running things right that merchant officers should cultivate.

Below are the punishments meted out to those that believe in individual license, and who think that the individual can do as he pleases without consulting the rest of us. They are wrong, of course, but most of all, **they are most often, simply ignorant.**

Offenses and punishments.

Whenever any seaman who has been lawfully engaged or any apprentice to the sea service commits any of the following offenses, he shall be punished as follows:

First. For desertion, by forfeiture of all or any part of the clothes or effects he leaves on board and of all or any part of the wages or emoluments which he has then earned.

Second. For neglecting or refusing without reasonable cause to join his vessel or to proceed to sea in his vessel, or for absence without leave at any time within twenty-four hours of the vessel's sailing from any port, either at the commencement or during the progress of the voyage, or for absence at any time without leave and without sufficient reason from his vessel and from his duty, not amounting to desertion, by forfeiture from his wages of not more than two days' pay or sufficient to defray any expenses which shall have been properly incurred in hiring a substitute.

Third. For quitting the vessel without leave, after her arrival at the port of her delivery and before she is placed in security, by forfeiture from his wages of not more than one month's pay.

Fourth. For willful disobedience to any lawful command at sea, by being, at the option of the master, placed in irons until such disobedience shall cease, and upon arrival in port by forfeiture from his wages of not more than four days' pay, or, at the discretion of the court, by imprisonment for not more than one month.

Fifth. For continued willful disobedience to lawful command or continued willful neglect of duty at sea, by being, at the option of the master, placed in irons, on bread and water, with full rations every fifth day, until such disobedience shall cease, and upon arrival in port by forfeiture, for every twenty-four hours' continuance of such disobedience or neglect, of a sum of not more than twelve days'

Digitized by Google

pay, or by imprisonment for not more than three months, at the discretion of the court.

Sixth. For assaulting any master or mate, by imprisonment for not more than two years.

Seventh. For willfully damaging the vessel, or embezzling or willfully damaging any of the stores or cargo, by forfeiture out of his wages of a sum equal in amount to the loss thereby sustained, and also, at the discretion of the court, by imprisonment for not more than twelve months.

Eighth. For any act of smuggling for which he is convicted and whereby loss or damage is occasioned to the master or owner, he shall be liable to pay such master or owner such a sum as is sufficient to reimburse the master or owner for such loss or damage, and the whole or any part of his wages may be retained in satisfaction or on account of such liability, and he shall be liable to imprisonment for a period of not more than twelve months. (R. S., 4596; Dec. 21, 1898; sec. 19; Mar. 4, 1915; sec. 7.) (Effective beginning Nov. 4, 1915.)

Upon the commission of any of the offenses enumerated in the preceding section an entry thereof shall be made in the official log book on the day on which the offense was committed, and shall be signed by the master and by the mate or one of the crew; and the offender, if still in the vessel, shall, before her next arrival at any port, or, if she is at the time in port, before her departure therefrom, be furnished with a copy of such entry, and have the same read over distinctly and audibly to him, and may thereupon make such a reply thereto as he thinks fit; and a statement that a copy of the entry has been so furnished, or the same has been so read over, together with his reply, if any, made by the offender, shall likewise be entered and signed in the same manner. In any subsequent legal proceedings the entries hereinbefore required shall, if practicable, be produced or proved, and in default of such production of proof the court hearing the case may, at its discretion, refuse to receive evidence of the offense. (R. S., 4597; Dec. 21, 1898; sec. 20.)

All clothes, effects, and wages which, under the provisions of this Title [R. S., 4501–4613], are forfeited for desertion, shall be applied, in the first instance, in payment of the expenses occasioned by such desertion, to the master or owner of the vessel from which the desertion has taken place, and the balance, if any, shall be paid by the

Digitized by Google

master or owner to any shipping-commissioner resident at the port at which the voyage of such vessel terminates; and the shipping-commissioner shall account for and pay over such balance to the judge of the district court within one month after the commissioner receives the same, to be disposed of by him in the same manner as is prescribed for the disposal of the money, effects, and wages of deceased seamen. Whenever any master or owner neglects or refuses to pay over to the shipping-commissioner such balance, he shall be liable to a penalty of double the amount thereof, recoverable by the commissioner in the same manner that seamen's wages are recovered. In all other cases of forfeiture of wages, the forfeiture shall be for the benefit of the master or owner by whom the wages are payable. (R. S., 4604.)

Any master of, or any seaman or apprentice belonging to, any merchant vessel, who, by willful breach of duty, or by reason of drunkenness, does any act tending to the immediate loss or destruction of, or serious damage to such vessel, or tending immediately to endanger the life or limb of any person belonging to or on board of such vessel; or who, by willful breach of duty, or by neglect of duty, or by reason of drunkenness, refuses or omits to do any lawful act proper and requisite to be done by him for preserving such vessel from immediate loss, destruction, or serious damage, or for preserving any person belonging to or on board of such ship from immediate danger to life or limb, shall, for every such offense, be deemed guilty of a misdemeanor, punishable by imprisonment for not more than twelve months. (R. S., 4602.)

Sheath knives not allowed.

No seaman in the merchant-service shall wear any sheath-knife on shipboard. It shall be the duty of the master of any vessel registered, enrolled, or licensed under the laws of the United States, and of the person entering into contract for the employment of a seaman upon any such vessel, to inform every person offering to ship himself of the provisions of this section, and to require his compliance therewith, under a penalty of fifty dollars for each omission, to be sued for and recovered in the name of the United States, under the direction of the Secretary of Commerce; one half for the benefit of the informer, and the other half for the benefit of the fund for the relief of sick and disabled seamen. (R. S. 4608; Feb. 14, 1903; sec. 10.)

Digitized by Google

Corporal punishment prohibited.

Flogging and all other forms of corporal punishment are hereby prohibited on board of any vessel, and no form of corporal punishment on board of any vessel shall be deemed justifiable, and any master or other officer thereof who shall violate the aforesaid provisions of this section, or either thereof, shall be deemed guilty of a misdemeanor, punishable by imprisonment for not less than three months nor more than two years. Whenever any officer other than the master of such vessel shall violate any provision of this section, it shall be the duty of such master to surrender such officer to the proper authorities as soon as practicable, provided he has actual knowledge of the misdemeanor, or complaint thereof is made within three days after reaching port. Any failure on the part of such master to use due diligence to comply herewith, which failure shall result in the escape of such officer, shall render the master or vessel or the owner of the vessel liable in damages for such flogging or corporal punishment to the person illegally punished by such officer. (R. S., 4611; Dec. 21, 1898; sec. 22; Mar. 4, 1915; sec. 9.) (Effective beginning Nov. 4, 1915.)

Procedure.

All penalties and forfeitures imposed by this Title [R. S., 4501–4613], for the recovery whereof no specific mode is hereinbefore provided, may be recovered, with costs, in any district court of the United States, at the suit of any district attorney of the United States, or at the suit of any person by information to any district attorney in any port of the United States, where or near to where the offense is committed or the offender is found; and if a conviction is had, and the sum imposed as a penalty by the court is not paid either immediately after the conviction, or within such period as the court at the time of the conviction appoints, it shall be lawful for the court to commit the offender to prison, there to be imprisoned for the term hereinbefore provided in case of such offense, the commitment to be terminable upon payment of the amount and costs; and all penalties and forfeitures mentioned in this Title for which no special application is provided, shall, when recovered, be paid and applied in manner following: So much as the court shall determine, and the residue shall be paid to the court and be remitted from time to time, by order of the judge, to the Treasury of the United States, and appropriated as provided for in section forty-five hundred and forty-

Digitized by Google

five: *Provided always*, That it shall be lawful for the court before which any proceeding shall be instituted for the recovery of any pecuniary penalty imposed by this act, to mitigate or reduce such penalty as to such court shall appear just and reasonable; but no such penalty shall be reduced to less than one-third of its original amount: *Provided also*, That all proceedings so to be instituted shall be commenced within two years next after the commission of the offense, if the same shall have been committed at or beyond the Cape of Good Hope or Cape Horn, or within one year if committed elsewhere, or within two months after the return of the offender and the complaining party to the United States; and there shall be no appeal from any decision of any of the district courts, unless the amount sued for exceeds the sum of five hundred dollars. (R. S., 4610.)

CRIMES

Place of trial.

The trial of all offenses committed upon the high seas or elsewhere, out of the jurisdiction of any particular State or district, shall be in the district where the offender is found, or into which he is first brought.

When any offense against the United States is begun in one judicial district and completed in another, it shall be deemed to have been committed in either, and may be dealt with, inquired of, tried, determined, and punished in either district, in the same manner as if it had been actually and wholly committed therein.

All pecuniary penalties and forfeitures may be used for and recovered either in the district where they accrue or in the district where the offender is found.

The crimes and offenses defined in this chapter shall be punished as herein prescribed:

First. When committed upon the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State, or when committed within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State on board any vessel belonging in whole or in part to the United States or any citizen thereof, or to any corporation created by or under the laws of the United States, or of any State, Territory, or District thereof.

Digitized by Google

Second. When committed upon any vessel registered, licensed, or enrolled under the laws of the United States, and being on a voyage upon the waters of any of the Great Lakes, namely: Lake Superior, Lake Michigan, Lake Huron, Lake Saint Clair, Lake Erie, Lake Ontario, or any of the waters connecting any of said lakes, or upon the River Saint Lawrence where the same constitutes the International boundary line.

Third. When committed within or on any lands reserved or acquired for the exclusive use of the United States, and under the exclusive jurisdiction thereof, or any place purchased or otherwise acquired by the United States by consent of the legislature of the State in which the same shall be, for the erection of a fort, magazine, arsenal, dockyard, or other needful building.

Fourth. On any island, rock, or key, containing deposits of guano, which may, at the discretion of the President, be considered as appertaining to the United States. (R. S., 730; Mar. 3, 1911; sec. 42; sec. 43; Mar. 4, 1909; sec. 272; Repeals R. S., 5339.)

Murder.

Murder is the unlawful killing of a human being with malice aforethought. Every murder prepetrated by poison, lying in wait, or any other kind of willful, deliberate, malicious, and premeditated killing; or committed in the perpetration of, or attempt to perpetrate, any arson, rape, burglary, or robbery; or perpetrated from a premeditated design unlawfully and maliciously to effect the death of any human being other than him who is killed, is murder in the first degree. Any other murder is murder in the second degree. (Sec. 273.)

Manslaughter.

Manslaughter is the unlawful killing of a human being without malice. It is of two kinds:

First. Voluntary—Upon a sudden quarrel or heat of passion.

Second. Involuntary—In the commission of an unlawful act not amounting to a felony, or in the commission of a lawful act which might produce death, in an unlawful manner, or without due caution and circumspection.

Every person guilty of murder in the first degree shall suffer death. Every person guilty of murder in the second degree shall be imprisoned not less than ten years and may be imprisoned for life.

Digitized by Google

Every person guilty of voluntary manslaughter shall be imprisoned not more than ten years. Every person guilty of involuntary manslaughter shall be imprisoned not more than three years, or fined not exceeding one thousand dollars, or both. (Sec. 274; Repeals R. S., 5341; sec. 275; Repeals R. S., 5340, 5343.)

Assault.

Whoever shall assault another with intent to commit murder, or rape, shall be imprisoned not more than twenty years. Whoever shall assault another with intent to commit any felony, except murder, or rape, shall be fined not more than three thousand dollars, or imprisoned not more than ten years, or both. Whoever, with intent to do bodily harm, and without just cause or excuse, shall assault another with a dangerous weapon, instrument, or other thing, shall be fined not more than one thousand dollars, or imprisoned not more than five years, or both. Whoever shall unlawfully strike, beat, or wound another, shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both. Whoever shall unlawfully assault another, shall be fined not more than three hundred dollars, or imprisoned not more than three months, or both.

Whoever shall attempt to commit murder or manslaughter, except as provided in the preceding section, shall be fined not more than one thousand dollars and imprisoned not more than three years. (Sec. 276; Repeals R. S., 5345, 5346; sec. 277; Repeals R. S., 5342.)

Rape.

Whoever shall commit the crime of rape shall suffer death.

Whoever shall carnally and unlawfully know any female under the age of sixteen years, or shall be accessory to such carnal and unlawful knowledge before the fact, shall, for a first offense, be imprisoned not more than fifteen years, and for a subsequent offense be imprisoned not more than thirty years. (Sec. 278; Repeals R. S., 5345; sec. 279.)

Seduction.

Every master, officer, seaman, or other person employed on board of any American vessel who, during the voyage under promise of marriage, or by threats, or the exercise of authority, or solicitation, or the making of gifts or presents, seduces and has illicit connection with any female passenger, shall be fined not more than one thousand

Digitized by Google

dollars, or imprisoned not more than one year, or both; but subsequent intermarriage of the parties may be pleaded in bar of conviction.

When a person is convicted of a violation of the section last preceding, the court may, in its discretion, direct that the amount of the fine, when paid, be paid for the use of the female seduced, or her child, if she have any; but no conviction shall be had on the testimony of the female seduced, without other evidence, nor unless the indictment is found within one year after the arrival of the vessel on which the offense was committed at the port of its destination. (Sec. 280; Repeals R. S., 5349; sec. 281; Repeals R. S., 5350, 5351.)

Death from negligence, misconduct, etc.

Every captain, engineer, pilot, or other person employed on any steamboat or vessel, by whose misconduct, negligence, or inattention to his duties on such vessel the life of any person is destroyed, and every owner, charterer, inspector, or other public officer, through whose fraud, neglect, connivance, misconduct, or violation of law the life of any person is destroyed, shall be fined not more than ten thousand dollars, or imprisoned not more than ten years, or both: *Provided*, That when the owner or charterer of any steamboat or vessel shall be a corporation, any executive officer of such corporation, for the time being actually charged with the control and management of the operation, equipment, or navigation of such steamboat or vessel, who has knowingly and willfully caused or allowed such fraud, neglect, connivance, misconduct, or violation of law, by which the life of any person is destroyed, shall be fined not more than ten thousand dollars, or imprisoned not more than ten years, or both. (Sec. 282; Repeals R. S., 5344, and act Mar. 3, 1905; sec. 5.)

Mayhem.

Whoever, with intent to maim or disfigure, shall cut, bite, or slit, the nose, ear, or lip, or cut out or disable the tongue, or put out or destroy an eye, or cut off or disable a limb or any member of another person; or whoever, with like intent, shall throw or pour upon another person, any scalding hot water, vitriol, or other corrosive acid, or caustic substance whatever, shall be fined not more than one thousand dollars, or imprisoned not more than seven years, or both. (Sec. 283; Repeals R. S., 5348.)

Digitized by Google

Robbery.

Whoever, by force and violence, or by putting in fear, shall feloniously take from the person or presence of another anything of value, shall be imprisoned not more than fifteen years. (Sec. 284; Repeals R. S., 5370.)

Arson.

Whoever shall maliciously set fire to, burn, or attempt to burn, or by any means destroy or injure, or attempt to destroy or injure, any arsenal, armory, magazine, rope-walk, ship house, warehouse, blockhouse, or barrack, or any storehouse, barn, or stable, not parcel of a dwelling house, or any other building not mentioned in the section last preceding, or any vessel built, building, or undergoing repair, or any light-house, or beacon, or any machinery, timber, cables, rigging, or other materials or appliances for building, repairing, or fitting out vessels, or any pile of wood, boards, or other lumber, or any military, naval, or victualing stores, arms, or other munitions of war, shall be fined not more than five thousand dollars and imprisoned not more than twenty years. (Sec. 286; Repeals R. S., 5386.)

Larceny.

Whoever shall take and carry away, with intent to steal or purloin, any personal property of another, shall be punished as follows: If the property taken is of a value exceeding fifty dollars, or is taken from the person of another, by a fine of not more than ten thousand dollars, or imprisonment for not more than ten years, or both; in all other cases, by a fine of not more than one thousand dollars, or by imprisonment not more than one year, or both. If the property stolen consists of any evidence of debt, or other written instrument, the amount of money due thereon, or secured to be paid thereby, and remaining unsatisfied, or which in any contingency might be collected thereon, or the value of the property the title to which is shown thereby, or the sum which might be recovered in the absence thereof, shall be deemed to be the value of the property stolen. (Sec. 287; Repeals R. S., 5356.)

Receiver of stolen property.

Whoever shall buy, receive, or conceal, any money, goods, bank notes, or other thing which may be the subject of larceny, which has

Digitized by Google

been feloniously taken, stolen, or embezzled, from any other person, knowing the same to have been so taken, stolen, or embezzled, shall be fined not more than one thousand dollars and imprisoned not more than three years; and such person may be tried either before or after the conviction of the principal offender. (Sec. 288; Repeals R. S., 5357.)

Miscellaneous offenses.

Whoever, within the territorial limits of any State, organized Territory, or District, but within or upon any of the places now existing or hereafter reserved or acquired, described in section two hundred and seventy-two of this Act, shall do or omit the doing of any act or thing which is not made penal by any law of Congress, but which if committed or omitted within the jurisdiction of the State, Territory, or District in which such place is situated, by the laws thereof now in force would be penal, shall be deemed guilty of a like offense and be subject to a like punishment; and every such State, Territorial, or District law shall, for the purposes of this section, continue in force, notwithstanding any subsequent repeal or amendment thereof by any such State, Territory, or District. (Sec. 289; Repeals R. S., 5891.)

Forgery.

Whoever shall falsely make, forge, counterfeit, or alter any instrument in imitation of, or purporting to be, an abstract or official copy or certificate of the recording, registry, or enrollment of any vessel, in the office of any collector of the customs, or a license to any vessel for carrying on the coasting trade or fisheries of the United States, or a certificate of ownership, pass, passport, sea letter, or clearance, granted for any vessel, under the authority of the United States, or a permit, debenture, or other official document granted by any collector or other officer of the customs by virtue of his office; or whoever shall utter, publish, or pass, or attempt to utter, publish, or pass, as true, any such false, forged, counterfeited, or falsely altered instrument, abstract, official copy, certificate, license, pass, passport, sea letter, clearance, permit, debenture, or other official document herein specified, knowing the same to be false, forged, counterfeited, or falsely altered, with an intent to defraud, shall be fined not more than one thousand dollars and imprisoned not more than three years. (Sec. 72; Repeals R. S., 5423.)

Digitized by Google

Ill treatment of crew.

Whoever, being the master or officer of a vessel of the United States, on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, beats, wounds, or without justifiable cause, imprisons any of the crew of such vessel, or withholds from them suitable food and nourishment, or inflicts upon them any cruel and unusual punishment, shall be fined not more than one thousand dollars, or imprisoned not more than five years, or both. Nothing herein contained shall be construed to repeal or modify section forty-six hundred and eleven of the Revised Statutes. (Sec. 291; Repeals R. S., 5347.)

Mutiny.

Whoever, being of the crew of a vessel of the United States, on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, endeavors to make a revolt or mutiny on board such vessel, or combines, conspires, or confederates with any other person on board to make such revolt or mutiny, or solicits, incites, or stirs up any other of the crew to disobey or resist the lawful orders of the master or other officer of such vessel, or to refuse or neglect their proper duty on board thereof, or to betray their proper trust, or assembles with others in a tumultuous and mutinous manner, or makes a riot on board thereof, or unlawfully confines the master or other commanding officer thereof, shall be fined not more than one thousand dollars, or imprisoned not more than five years or both. (Sec. 292; Repeals R. S., 5359.)

Whoever, being of the crew of a vessel of the United States, on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, unlawfully and with force, or by fraud, or intimidation, usurps the command of such vessel from the master or other lawful officer in command thereof, or deprives him of authority and command on board, or resists or prevents him in the free and lawful exercise thereof, or transfers such authority and command to another not lawfully entitled thereto, is guilty of a revolt and mutiny, and shall be fined not more than two thousand dollars and imprisoned not more than ten years. (Sec. 293; Repeals R. S., 5360.)

Abandonment of seamen.

Whoever, being master or commander of a vessel of the United

Digitized by Google

States, while abroad, maliciously and without justifiable cause forces any officer or mariner of such vessel on shore, in order to leave him behind in any foreign port or place, or refuses to bring home again all such officers and mariners of such vessel whom he carried out with him, as are in a condition to return and willing to return, when he is ready to proceed on his homeward voyage, shall be fined not more than five hundred dollars, or imprisoned not more than six months, or both. (Sec. 295; Repeals R. S., 5363.)

Barratry.

Whoever, on the high seas, or within the United States, willfully and corruptly conspires, combines, and confederates with any other person, such other person being either within or without the United States, to cast away or otherwise destroy any vessel, with intent to injure any person that may have underwritten or may thereafter underwrite any policy of insurance thereon or on goods on board thereof, or with intent to injure any person that has lent or advanced, or may lend or advance, any money on such vessel on bottomry or respondentia; or whoever, within the United States, builds, or fits out, or aids in building or fitting out, any vessel with intent that the same be cast away or destroyed, with the intent hereinbefore mentioned, shall be fined not more than ten thousand dollars and imprisoned not more than ten years. (Sec. 296; Repeals R. S., 5364.)

Wrecking.

Whoever plunders, steals, or destroys any money, goods, merchandise, or other effects, from or belonging to any vessel in distress, or wrecked, lost, stranded, or cast away, upon the sea, or upon any reef, shoal, bank, or rocks of the sea, or in any other place within the admiralty and maritime jurisdiction of the United States, shall be fined not more than five thousand dollars and imprisoned not more than ten years; and whoever willfully obstructs the escape of any person endeavoring to save his life from such vessel, or the wreck thereof; or whoever holds out or shows any false light, or extinguishes any true light, with intent to bring any vessel sailing upon the sea into danger, or distress, or shipwreck, shall be imprisoned not less than ten years and may be imprisoned for life. (Sec. 297; Repeals R. S., 5358.)

Digitized by Google

Plundering vessel.

Whoever, upon the high seas or on any other waters within the admiralty and maritime jurisdiction of the United States, by surprise or by open force, maliciously attacks or sets upon any vessel belonging to another, with an intent unlawfully to plunder the same, or to despoil any owner thereof of any moneys, goods, or merchandise laden on board thereof, shall be fined not more than five thousand dollars and imprisoned not more than ten years. (Sec. 298; Repeals R. S., 5361.)

Whoever, upon the high seas or on any other waters within the admiralty and maritime jurisdiction of the United States, and out of the jurisdiction of any particular State, breaks or enters any vessel, with intent to commit any felony, or maliciously cuts, spoils, or destroys any cordage, cable, buoys, buoy-rope, head-fast, or other fast, fixed to the anchor or moorings, belonging to any vessel shall be fined not more than one thousand dollars and imprisoned not more than five years.

Casting away vessel.

Whoever, upon the high seas or on any other waters within the admiralty and maritime jurisdiction of the United States, willfully and corruptly casts away or otherwise destroys any vessel, of which he is owner, in whole or in part, with intent to prejudice any person that may underwrite any policy of insurance thereon, or any merchant that may have goods thereon, or any other owner of such vessel, shall be imprisoned for life or for any term of years.

Whoever, not being an owner, upon the high seas or on any other waters within the admiralty and maritime jurisdiction of the United States, willfully and corruptly casts away or otherwise destroys any vessel of the United States to which he belongs, or, willfully, with intent to destroy the same, sets fire to any such vessel, or otherwise attempts the destruction thereof, shall be imprisoned not more than ten years.

The words "vessel of the United States," wherever they occur in this chapter, shall be construed to mean a vessel belonging in whole or in part to the United States, or any citizen thereof, or any corporation created by or under the laws of the United States, or of any State, Territory, or District thereof. (Sec. 298; Repeals R. S.,

Digitized by Google

5361; sec. 299; Repeals R. S., 5362; sec. 300; Repeals R. S., 5365; sec. 301; Repeals R. S., 5366, 5367; sec. 310.)

Crimes on the Great Lakes.

Every person who shall, upon any vessel registered or enrolled under the laws of the United States, and being on a voyage upon the waters of any of the Great Lakes, namely, Lake Superior, Lake Michigan, Lake Huron, Lake Saint Clair, Lake Erie, Lake Ontario, or any of the waters connecting any of the said lakes, commit or be guilty of any of the acts, neglects, or omissions, respectively, mentioned in chapter three [R. S., 5339–5391] of title seventy of the Revised Statutes of the United States shall, upon conviction thereof, be punished with the same punishments in the said title and chapter, respectively affixed to the same offenses therein mentioned, respectively. (Sept. 4, 1890.)

The circuit and district courts of the United States, respectively, are hereby vested with the same jurisdiction in respect to the offenses mentioned in the first section of this act that they by law have and possess in respect of the offenses in said chapter and title in the first section of this act mentioned, and said courts, respectively, are also for the purpose of this act vested with all and the same jurisdiction they, respectively, have by force of title thirteen, chapter three [R. S., 563–571], and title thirteen, chapter seven [R. S., 629-657], of the Revised Statutes of the United States. [See act Mar. 4, 1909, sec. 272, par. 2, p. 468.] (Sec. 2.)

PIRACY

Piracy.

The President is authorized to employ so many of the public armed vessels as in his judgment the service may require, with suitable instructions to the commanders thereof in protecting the merchant vessels of the United States and their crews from piratical aggressions and depredations. (R. S., 4293.)

The President is authorized to instruct the commanders of the public armed vessels of the United States to subdue, seize, take, and send into any port of the United States, any armed vessel or boat, or any vessel or boat, the crew whereof shall be armed, and which shall have attempted or committed any piratical aggression, search, restraint, depredation, or seizure, upon any vessel of the United

Digitized by Google

States, or of the citizens thereof, or upon any other vessel; and also to retake any vessel of the United States, or its citizens, which may have been unlawfully captured upon the high seas. (R. S., 4294.)

The commander and crew of any merchant-vessel of the United States, owned wholly, or in part, by a citizen thereof, may oppose and defend against any aggression, search, restraint, depredation, or seizure, which shall be attempted upon such vessel, or upon any other vessel so owned, by the commander or crew of any armed vessel whatsoever, not being a public armed vessel of some nation in amity with the United States, and may subdue and capture the same; and may also retake any vessel so owned which may have been captured by the commander or crew of any such armed vessel, and send the same into any port of the United States. (R. S., 4295.)

Whenever any vessel, which shall have been built, purchased, fitted out in whole or in part, or held for the purpose of being employed in the commission of any piratical aggression, search, restraint, depredation, or seizure, or in the commission of any other act of piracy as defined by the law of nations, or from which any piratical aggression, search, restraint, depredation, or seizure shall have been first attempted or made, is captured and brought into or captured in any port of the United States, the same shall be adjudged and condemned to their use, and that of the captors after due process and trial in any court having admiralty jurisdiction, and which shall be holden for the district into which such captured vessel shall be brought; and the same court shall thereupon order a sale and distribution thereof accordingly, and at its discretion. (R. S., 4296.)

Any vessel built, purchased, fitted out in whole or in part, or held for the purpose of being employed in the commission of any piratical aggression, search, restraint, depredation, or seizure, or in the commission of any other act of piracy, as defined by the law of nations, shall be liable to be captured and brought into any port of the United States if found upon the high seas, or to be seized if found in port or place within the United States, whether the same shall have actually sailed upon any piratical expedition or not, and whether any act of piracy shall have been committed or attempted upon or from such vessel or not; and any such vessel may be adjudged and condemned, if captured by a vessel authorized as hereinafter mentioned, to the use of the United States and to that of the captors,

Digitized by Google

and if seized by a collector, surveyor, or marshal, then to the use of the United States. (R. S., 4297.)

The President is authorized to instruct the commanders of the public armed vessels of the United States, and to authorize the commanders of any other armed vessels sailing under the authority of any letters of marque and reprisal granted by Congress, or the commanders of any other suitable vessels, to subdue, seize, take, and, if on the high seas, to send into any port of the United States, any vessel or boat built, purchased, fitted, out or held as mentioned in the preceding section. (R. S., 4298.)

The collectors of the several ports of entry, the surveyors of the several ports of delivery, and the marshals of the several judicial districts within the United States, shall seize any vessel or boat built, purchased, fitted out, or held as mentioned in section forty-two hundred and ninety-seven, which may be found within their respective ports or districts, and to cause the same to be proceeded against and disposed of as provided by that section. (R. S., 4299.)

Crimes deemed piracy.

Whoever, on the high seas, commits the crime of piracy as defined by the law of nations, and is afterwards brought into or found in the United States, shall be imprisoned for life.

Whoever, being a seaman, lays violent hands upon his commander, thereby to hinder and prevent his fighting in defense of his vessel or the goods intrusted to him, is a pirate, and shall be imprisoned for life.

Whoever, being engaged in any piratical cruise, or enterprise, or being of the crew of any piratical vessel, lands from such vessel, and on shore commits robbery, is a pirate, and shall be imprisoned for life.

Whoever, being a citizen of the United States, commits any murder or robbery, or any act or hostility against the United States, or against any citizen thereof, on the high seas, under color of any commission from any foreign prince, or state, or on pretense of authority from any person, is, notwithstanding the pretense of such authority, a pirate, and shall be imprisoned for life.

Whoever, being a citizen or subject of any foreign state, is found and taken on the sea making war upon the United States, or cruising against the vessels and property thereof, or of the citizens of the same,

Digitized by Google

contrary to the provisions of any treaty existing between the United States and the state of which the offender is a citizen or subject, when by such treaty such acts are declared to be piracy, is guilty of piracy, and shall be imprisoned for life.

Whoever, being a captain or other officer or mariner of a vessel upon the high seas or on any other waters within the admiralty and maritime jurisdiction of the United States, piratically or feloniously runs away with such vessel, or with any goods or merchandise thereof, to the value of fifty dollars, or who yields up such vessel voluntarily to any pirate, shall be fined not more than ten thousand dollars, or imprisoned not more than ten years, or both.

Whoever attempts or endeavors to corrupt any commander, master, officer, or mariner to yield up or to run away with any vessel, or with any goods, wares, or merchandise, or to turn pirate, or to go over to or confederate with pirates, or in any wise to trade with any pirate, knowing him to be such, or furnishes such pirate with any ammunition, stores, or provisions of any kind, or fits out any vessel knowingly and, with a design to trade with, supply, or correspond with any pirate or robber upon the seas; or whoever consults, combines, confederates, or corresponds with any pirate or robber upon the seas, knowing him to be guilty of any piracy or robbery; or whoever, being a seaman, confines the master of any vessel, shall be fined not more than one thousand dollars and imprisoned not more than three years.

The words "vessel of the United States," wherever they occur in this chapter, shall be construed to mean a vessel belonging in whole or in part to the United States, or any citizen thereof, or any corporation created by or under the laws of the United States, or of any State, Territory, or District thereof. (Mar. 4, 1909; sec. 290; Repeals R. S., 5368; sec. 294; Repeals R. S., 5369; sec. 302; Repeals R. S., 5371; sec. 304; Repeals R. S., 5373; sec. 305; Repeals R. S., 5374; sec. 506; Repeals R. S., 5383; sec. 307; Repeals R. S., 5384; sec. 310.)

Digitized by Google

Digitized by Google

APPENDIX A

CUSTOMS DISTRICTS, PORTS, AND SUB-PORTS OF UNITED STATES

Names of DISTRICTS are shown in **BOLD FACE CAPITALS** followed by the district Headquarters in Capitals and small letters. The District Boundary follows immediately below with the Ports of Entry following.

MAINE AND NEW HAMPSHIRE—Portland

State of Maine and all of New Hampshire except county of Coos

Portland, Houlton, Fort Fairfield, Mars Hill, Van Buren, Madawaska, Monticello, Machias, Lubec, Bath, Boothbay, Limestone, Fort Kent, Bridgewater, Eastport, Calais, Bangor, Ellsworth, Rockland, Vanceboro, Lowelltown (or Holeb), Belfast, Rockport, Castine, Vinalhaven, South West Harbor, Portsmouth, N. H. (including Kittery).

VERMONT—St. Albans

All of the State of Vermont; and the County of Coos in the State of New Hampshire

Newport, North Troy, Derbyline, Island Pond, Bleecher Falls, St. Albans, Richford, Burlington, Alburg, Swanton, Highgate.

MASSACHUSETTS—Boston

All of the State of Massachusetts

Boston, Gloucester, Salem (including Beverly, Marblehead, and Lynn), Provincetown, Plymouth, Barnstable, Vineyard Haven, Fall River, New Bedford, Worcester, Springfield, Holyoke.

Digitized by Google

RHODE ISLAND—Providence

All of the State of Rhode Island

Providence, Newport.

CONNECTICUT—Bridgeport

All of the State of Connecticut

Hartford, New Haven, New London, Stonington, Middletown, South Manchester, Bridgeport, Stamford, Greenwich, Norwalk.

ST. LAWRENCE—Ogdensburg.

State of New York, to include all of the counties of Clinton, Essex, Franklin, St. Lawrence, Jefferson, and Lewis

Ogdensburg, Nyando, Morristown, Rouses Point, Malone, Fort Covington, Plattsburg, Champlain, Chateaugay, Moores Junction, Waddington, Cape Vincent, Alexandria Bay, Chaumont, Clayton.

ROCHESTER—Rochester

All of the counties of Oswego, Oneida, Onondaga, Cayuga, Seneca, Wayne, Broome, Tompkins, Chenango, Madison, Cortland, Hamilton, Schuyler, Chemung, Herkimer, Monroe, Ontario, Livingston, Yates, Steuben, Orleans, Genesee, and Wyoming

Rochester, Oswego, Utica, Syracuse, Charlotte, Fair Haven, Sodus Point.

BUFFALO—Buffalo

All of the counties of Niagara, Erie, Cattaraugus, and Chautauqua

Buffalo, Niagara Falls, North Tonawanda (including Tonawanda), Dunkirk, Lewiston.

Digitized by Google

NEW YORK—New York

To include all that part of the State of New York not expressly included in the districts of St. Lawrence, Rochester, and Buffalo, and also to include the counties of Sussex, Passaic, Hudson, Bergen, Essex, Union, Middlesex, and Monmouth, in the State of New Jersey

New York, Newark, Perth Amboy, Patchogue, Greenport, Albany.

PHILADELPHIA—Philadelphia

To include all that part of the State of Pennsylvania lying east of 79° west longitude, all of the State of Delaware, and all of that part of the State of New Jersey not included in the district of New York

Philadelphia (to include Camden and Gloucester City, N. J.), Somers Point, Thompsons Point, Tuckerton, Chester, Wilmington, Lewes.

PITTSBURGH—Pittsburgh

To include all of the State of West Virginia and all of the State of Pennsylvania lying west of 79° west longitude, except the county of Erie

Pittsburgh, Wheeling.

MARYLAND—Baltimore

To include all of the State of Maryland, the District of Columbia, and the county of Alexandria in the State of Virginia

Baltimore, Washington, Crisfield, Annapolis, Alexandria.

VIRGINIA—Norfolk

To include all of the State of Virginia, except the county of Alexandria

(The port of Norfolk shall include both of said cities and the waters and shores of Hampton Roads)

Norfolk, Newport News, Richmond, Petersburg, Cape Charles City, Chincoteague, Reedville.

Digitized by Google

NORTH CAROLINA—Wilmington

To include all of the State of North Carolina

Wilmington, Elizabeth City, Newbern, Manteo, Beaufort.

SOUTH CAROLINA—Charleston

All of the State of South Carolina

Charleston, Georgetown, Beaufort.

GEORGIA—Savannah

All of the State of Georgia except the north shore of the St. Marys River and the city of St. Marys

Savannah, Brunswick, Darien, Atlanta.

FLORIDA—Tampa

All of the State of Florida and the north bank of the St. Marys River and the city of St. Marys, Ga.

Tampa (including Port Tampa), Key West, Punta Gorda, Boca Grande, Miami, Jacksonville, Pensacola, St. Andrews, St. Augustine, Fernandina (including St. Marys, Ga.), Cedar Keys, Port Inglis, Apalachicola, Carrabelle.

MOBILE—Mobile

All of the State of Alabama and all that part of the State of Mississippi lying south of 31° north latitude

Mobile, Birmingham, Gulfport, Scranton.

NEW ORLEANS—New Orleans

All of the State of Louisiana and all that part of the State of Mississippi lying north of 31° north latitude

New Orleans, Morgan City.

Digitized by Google

SABINE—Port Arthur

To include the following territory; Beginning on the Gulf of Mexico at the center of the stream of Sabine Pass; thence north with the center of the stream of Sabine Pass to Sabine Lake; thence with the center of the stream of Sabine Lake to a point directly opposite to the Sabine River; thence north with the east shore of the Sabine River to the north boundary line of Shelby County, Tex.; thence west to the Neches River; thence down said river with its west shore to a north boundary line of Jefferson County, thence in a westerly direction with the said north boundary line to the east boundary line of Liberty County, Tex.; thence south to the Gulf of Mexico; thence in an easterly direction along the Gulf shores to the place of beginning

Port Arthur, Sabine.

GALVESTON—Galveston

All of the State of Texas except the territory included in the districts of Sabine, Laredo, El Paso, and Eagle Pass

Galveston (including Port Bolivar and Texas City), San Antonio, Dallas, Houston, Port Lavaca.

LAREDO—Laredo

All of the counties of Cameron, Hidalgo, Starr, Nueces, Zapata, Duval, Brooks, Willacy, Jim Wells, Aransas, Webb, La Salle, Dimmit, McMullen, Live Oak, Bee, Refugio, and San Patricio in the State of Texas

Laredo, Brownsville, Rio Grande City, Corpus Christi, Roma, Santa Maria.

EL PASO—El Paso

All the counties of El Paso and Culberson in the State of Texas and all of the State of New Mexico

El Paso, Columbus, New Mexico.

Digitized by Google

EAGLE PASS—Eagle Pass

All of the counties in the State of Texas lying along and contiguous to the Rio Grande River not included in the districts of Laredo and El Paso

Eagle Pass, Boquillas, Del Rio, Presidio.

ARIZONA—Nogales

All of the State of Arizona

Nogales, Naco, Yuma, Douglas.

SOUTHERN CALIFORNIA—Los Angeles

All that part of the State of California, lying south of 35° north latitude

Los Angeles, San Pedro, San Diego, Calexico, Campo, Tia Juana.

SAN FRANCISCO—San Francisco

All that part of the State of California lying north of 35° north latitude

San Francisco (including Oakland), Eureka, Port Harford.

OREGON—Portland

All of the State of Oregon

Portland, Astoria, Newport, Empire.

WASHINGTON—Seattle

All of the State of Washington

Seattle, Port Townsend, Aberdeen, Anacortes, Bellingham, Blaine, Chopaka, Danville, Everett, Ferry, Friday Harbor, Laurier, Molson, Northport, Port Angeles, Roche Harbor, South Bend, Spokane, Somas, Tacoma.

Digitized by Google

ALASKA—Juneau

All of the Territory of Alaska

Juneau, Eagle, Ketchikan, Cordova, Sulzer, St. Michael, Skagway, Unalaska, Wrangell, Fortymile, Fairbanks, Nome.

HAWAII—Honolulu

All of the territory of Hawaii

Honolulu, Hilo, Kahului, Kaloa, Mahukona.

MONTANA AND IDAHO—Great Falls

All of the States of Montana and Idaho

Great Falls, Eastport, Port Hill, Plentywood, Sweetgrass, Gateway.

DAKOTA—Pembina

All of the States of North and South Dakota and the county of Kittsen in the State of Minnesota

Pembina, Noyes, St. Vincent, Portal, St. John, Hannah, Neche, Ambrose, Souris, Walhalla, Sarles, Sherwood, Hansboro, Crosby, Antler.

MINNESOTA—St. Paul, Minneapolis

State of Minnesota, lying south of 46° north latitude

St. Paul, Minneapolis.

DULUTH AND SUPERIOR—Duluth and Superior

All of the State of Minnesota, except the county of Kittsen, lying north of 46° north latitude and all of the State of Wisconsin lying north of said latitude, and the island of Isle Royal, in the State of Michigan

(The port of Duluth and Superior shall include both of said cities and West Superior)

Duluth, Superior, International Falls, Warroad, Ranier, Two Harbors, Ashland, Isle Royal.

Digitized by Google

WISCONSIN—Milwaukee

All of the State of Wisconsin lying south of 46° north latitude

Milwaukee, Green Bay, Kenosha, Kewaunee, Manitowoc, Marinette (including Menominee), Racine, Sheboygan, Sturgeon Bay.

MICHIGAN—Detroit

All of the State of Michigan

Detroit, Port Huron, Saginaw, Alpena, Bay City, Marine City, St. Clair, Grand Rapids, Grand Haven, Charlevoix, Ludington, Manistee, Manistique, Muskegon, St. Joseph, Petoskey, Sault Ste. Marie, Cheboygan, Mackinaw, Detour, Escanaba, Gladstone, Houghton, Marquette.

CHICAGO—Chicago

All of the State of Illinois lying north of 39° north latitude and all that part of the State of Indiana lying north of 41° north latitude

Chicago, Peoria, Michigan City.

INDIANA—Indianapolis

All of the State of Indiana lying south of 41° of north latitude

Indianapolis, Evansville.

OHIO—Cleveland

All of the State of Ohio and the county of Erie in the State of Pennsylvania

Cleveland, Conneaut, Ashtabula, Fairport, Lorain, Sandusky, Put-in-Bay, Toledo, Cincinnati, Columbus, Dayton and Erie, Corry, Pa.

KENTUCKY—Louisville

All of the State of Kentucky

Louisville, Paducah.

Digitized by Google

TENNESSEE—Memphis

All of the State of Tennessee

Memphis, Nashville, Chattanooga, Knoxville.

IOWA—Des Moines

All of the State of Iowa

Des Moines, Sioux City, Dubuque.

ST. LOUIS—St. Louis

All of the States of Missouri, Kansas, Arkansas, and Oklahoma, and all that part of the State of Illinois lying south of 39° north latitude

St. Louis (including East St. Louis), Kansas City, Cairo, Ill., St. Joseph, Mo.

OMAHA—Omaha

All of the States of Nebraska and Wyoming

Omaha, Lincoln.

COLORADO—Denver

All of the State of Colorado

Denver.

UTAH AND NEVADA—Salt Lake City

All of the States of Utah and Nevada

Salt Lake City.

Digitized by Google

PORTO RICO—San Juan

The island of Porto Rico

San Juan, Humacao, Aguadilla, Mayaguez, Arecibo, Arroyo, Fajardo, Ponce, Guanica.

The use of the terms "port of delivery" and "subport of entry" has been discontinued, and all ports of entry, subports of entry, and ports of delivery not above specifically mentioned as ports of entry, abolished.

The privileges of the first and seventh sections of the act of June 10, 1880, commonly known as the "immediate transportation act," remain as heretofore existing with respect to the ports of entry.

Ports at which merchandise may be entered for transportation to other ports without appraisement under the act of June 10, 1880

Alburg, Vt.
Astoria, Ore.
Baltimore, Md.
Bangor, Me.
Bath, Me.
Bay City, Mich.
Beecher Falls, Vt.
Blaine, Wash.
Boston, Mass.
Brownsville, Tex.
Brunswick, Ga.
Buffalo, N. Y.
Burlington, Vt.
Calais, Me.
Charleston, S. C.
Chicago, Ill.
Cleveland, Ohio.
Detroit, Mich.
Duluth, Minn.
Eagle Pass, Tex.
Eastport, Idaho.
Eastport, Me.
El Paso, Tex.
Everett, Wash.
Fernandina, Fla.
Galveston, Tex.
Gladstone, Mich.
Honolulu, T. H.
Island Pond, Vt.
Key West, Fla.
Knights Key, Fla.
Laredo, Tex.
Los Angeles, Cal.
Malone, N. Y.
Marquette, Mich.
Miami, Fla.
Milwaukee, Wis.
Mobile, Ala.
New London, Conn.
New Orleans, La.
Newport, Vt.
Newport News, Va.
New York, N. Y.
Niagara Falls, N. Y.
Nogales, Ariz.
Norfolk, Va.

Digitized by Google

Nyando, N. Y.
Ogdensburg, N. Y.
Pembina, N. Dak.
Pensacola, Fla.
Philadelphia, Pa.
Port Arthur, Tex.
Port Huron, Mich.
Portal, N. Dak.
Portland, Me.
Portland, Ore.
Port Townsend, Wash.
Providence, R. I.
Ranier, Minn.
Richford, Vt.
Rochester, N. Y.
Rouses Point, N. Y.
St. Albans, Vt.
St. Vincent, Minn.
San Diego, Cal.
San Francisco, Cal.
Sault Ste. Marie, Mich.
Savannah, Ga.
Seattle, Wash.
Sioux City, Iowa.
Sumas, Wash.
Tacoma, Wash.
Tampa, Fla.
Texas City, Tex.
Toledo, Ohio.
Van Buren, Me.
Vanceboro, Me.
Wilmington, N. C.

Ports to which merchandise may be transported without appraisement under the act of June 10, 1880

Albany, N. Y.
Astoria, Ore.
Atlanta, Ga.
Baltimore, Md.
Bangor, Me.
Bath, Me.
Bellingham, Wash.
Birmingham, Ala.
Boston, Mass.
Bridgeport, Conn.
Buffalo, N. Y.
Burlington, Vt.
Calais, Me.
Charleston, S. C.
Chattanooga, Tenn.
Chicago, Ill.
Cincinnati, Ohio.
Cleveland, Ohio.
Coal City, Ill.
Columbus, Ohio.
Corry, Pa.
Council Bluffs, Iowa.
Dallas, Tex.
Dayton, Ohio.
Denver, Colo.
Des Moines, Iowa.
Detroit, Mich.
Dubuque, Iowa.
Duluth, Minn.
Dunkirk, N. Y.
Durango, Colo.
Durham, N. C.
Eagle Pass, Tex.
Eastport, Me.
El Paso, Tex.
Enfield, Conn.
Erie, Pa.
Evansville, Ind.
Everett, Wash.
Fall River, Mass.

Digitized by Google

Galveston, Tex.
Gladstone, Mich.
Gloucester, Mass.
Grand Haven, Mich.
Grand Rapids, Mich.
Green Bay, Wis.
Greenwich, Conn.
Hartford, Conn.
Honolulu, Hawaii.
Houston, Tex.
Indianapolis, Ind.
Jacksonville, Fla.
Kansas City, Mo.
Key West, Fla.
Knoxvile, Tenn.
Laredo, Tex.
Leadville, Colo.
Lincoln, Nebr.
Los Angeles, Cal.
Louisville, Ky.
Marquette, Mich.
Memphis, Tenn.
Middletown, Conn.
Milwaukee, Wis.
Minneapolis, Minn.
Mobile, Ala.
Nashville, Tenn.
Newark, N. J.
New Bedford, Mass.
New Haven, Conn.
New Orleans, La.
Newport, R. I.
Newport News, Va.
New York, N. Y.
Niagara Falls, N. Y.
Nogales, Ariz.
Norfolk, Va.
Norwalk, Conn.
Oakland, Cal.
Ocala, Fla.
Ogdensburg, N. Y.
Omaha, Nebr.
Peoria, Ill.
Perth Amboy, N. J.
Petersburg, Va.
Petoskey, Mich.
Philadelphia, Pa.
Pittsburgh, Pa.
Port Arthur, Tex.
Port Huron, Mich.
Portland, Me.
Portland, Ore.
Portsmouth, N. H.
Port Townsend, Wash.
Providence, R. I.
Pueblo, Colo.
Richmond, Va.
Rochester, N. Y.
St. Augustine, Fla.
St. Joseph, Mo.
St. Louis, Mo.
St. Paul, Minn.
Sabine Pass, Tex.
Saginaw, Mich.
Salt Lake City, Utah.
San Antonio, Tex.
San Diego, Cal.
Sandusky, Ohio.
San Francisco, Cal.
Sault Ste. Marie, Mich.
Savannah, Ga.
Seattle, Wash.
Sioux City, Iowa.
South Manchester, Conn.
Spokane, Wash.
Springfield, Mass.
Stamford, Conn.
Superior, Wis.
Syracuse, N. Y.
Tacoma, Wash.

Digitized by Google

Tampa, Fla.
Titusville, Pa.
Toledo, Ohio.
Utica, N. Y.
Vanceboro, Me.
Vernon (Rockville), Conn.
Washington, D. C.
Wilmington, Del.
Wilmington, N. C.
Worcester, Mass.

List of ports at which bonded warehouses are established

Apalachicola, Fla.
Atlanta, Ga.
Baltimore, Md.
Bangor, Me.
Bath, Me.
Belfast, Me.
Bonners Ferry, Mont.
Boothbay, Me.
Boston, Mass.
Bridgeport, Conn.
Brownsville, Tex.
Buffalo, N. Y.
Burlington, Vt.
Cape Vincent, N. Y.
Castine, Me.
Chattanooga, Tenn.
Chicago, Ill.
Cincinnati, Ohio.
Denver, Colo.
Detroit, Mich.
Duluth, Minn.
Durham, N. C.
Eagle Pass, Tex.
Eastport, Me.
El Paso, Tex.
Erie, Pa.
Evansville, Ind.
Everett, Wash.
Fall River, Mass.
Galveston, Tex.
Gloucester, Mass.
Grand Rapids, Mich.
Great Falls, Mont.
Green Bay, Wis.
Hartford, Conn.
Honolulu, Hawaii.
Indianapolis, Ind.
Kansas City, Mo.
Key West, Fla.
Laredo, Tex.
Lincoln, Nebr.
Los Angeles, Cal.
Louisville, Ky.
Minneapolis, Minn.
New Haven, Conn.
New London, Conn.
New Orleans, La.
Newport News, Va.
Newark, N. J.
New York.
Niagara Falls, N. Y.
Nogales, Ariz.
Ogdensburg, N. Y.
Omaha, Nebr.
Oswego, N. Y.
Pensacola, Fla.
Perth Amboy, N. J.
Petersburg, Va.
Philadelphia, Pa.
Pittsburgh, Pa.
Plattsburg, N. Y.
Port Huron, Mich.
Portland, Me.
Portland, Ore.

Digitized by Google

Portsmouth, N. H.
Port Townsend, Wash.
Providence, R. I.
Provincetown, Mass.
Richmond, Va.
Rochester, N. Y.
St. Joseph, Mo.
St. Louis, Mo.
St. Michael, Alaska.
St. Paul, Minn.
Saginaw, Mich.
Salem, Mass.
San Antonio, Tex.
San Diego, Cal.
San Francisco, Cal.
San Juan, P. R.
Savannah, Ga.
Seattle, Wash.
Sioux City, Iowa.
Skagway, Alaska.
Spokane, Wash.
Syracuse, N. Y.
Tacoma, Wash.
Tampa, Fla.
Toledo, Ohio.
Utica, N. Y.

List of ports where the custom-house premises are used for the storage of imported goods in bond

Albany, N. Y.
Aguadilla, P. R.
Arecibo, P. R.
Arroyo, P. R.
Bangor, Me.
Charleston, S. C.
Cleveland, Ohio.
Columbus, Ohio.
Fajardo, P. R.
Guanica, P. R.
Humacao, P. R.
Jacksonville, Fla.
Marquette, Mich.
Mayaguez, P. R.
Memphis, Tenn.
Milwaukee, Wis.
Nashville, Tenn.
Norfolk, Va.
Peoria, Ill.
Ponce, P. R.
Providence, R. I.
Rochester, N. Y.
St. Augustine, Fla.
Sandusky, Ohio.
San Juan, P. R.
Springfield, Mass.
Washington, D. C. (Georgetown)
Wilmington, Del.

Digitized by Google

APPENDIX B

THE SEA LIBRARY

The books an officer should have, *and study*, are appended.

Bowditch's American Practical Navigator.

The Navigator's Bible.

Lecky's Wrinkles in Practical Navigation.

No comment needed. An officer who does not know this book —well, he is simply not all there as an officer.

Bradford's Whys and Wherefores of Navigation.

An American book, of intimate and interesting information on the subject of navigation. If you want to know "why," own and study Bradford, it is a book for the man who likes to thoroughly understand his subject—simple, clear, complete.

Jacoby's Navigation.

A good book for the beginner.

Knight's Seamanship.

The best American work on seamanship, naval and merchant service. The chapters on ship handling and the higher problems of seamanship are exceptionally good.

Todd and Whall's Seamanship.

The best book to date for the merchantman.

Walton's Know Your Own Ship.

Information about vessels that every officer aboard ship should possess.

White's Oil Tank Steamers.

An excellent work by an officer who knows his subject.

Allingham's Weather Signs and How to Read Them.

Digitized by Google

Digitized by Google

Index

Page numbers in bold-face type indicate reference to the Navigation Laws.

A

Abandonment of seamen, 297
Able seamen, duties, 236–240
Advance, 265
Agreement, form of, 241–242
  in coasting trade, 256
  in foreign trade, 249, 250
Allingham, 304
Allotment of wages, 265, 266, 267
Alongside, 96
Amendments to Rule V, 155
Amplitudes, 181
Anchor watch, 74
Anchorage data, 73
Anchoring, 95
Application for register, 9
Apprentices, 244, 248, 249
Arbitration, 270
Arms, export to American countries, 61
  sale of, 62
Arson, 295
Assault, 293
Assistance at sea, 62, 63
Average, general, 51, 52
Awnings, 77

B

Baggage, 129
Barratry, 298
Berth, fair or foul, 75
Bills of lading, 75, 84
Boarding, 24, 25, 26
Boat covers, 77
  falls, 108
  handling, 105
Boatswain, 78
  duties, 234, 235
Boatswain's stores, 77
Bond, general libel, 57, 58
Books, 304
Bowditch, 304
Bradford, 304
Bribery, 50, 51
Bridge, persons allowed on, 170
Bullion and coin, 21
Buoys, 111

C

Cadets, laws, duties, 145
Captain, call, 179
Cargo, battens, 79
  care of, 82
  chilled beef, 87
  comparison of cargo and manifest, 39
  clusters, 74, 75
  coal-trimming, 85
  coal-ventilation, 85
  cotton, 86
  damage to, 83
  delivery in various districts, 33, 34
  diagrams, 75, 84
  duty to, 82
  explosive, 65, 66, 67, 68, 69, 70, 71

Digitized by Google

Cargo, frozen, 87
gear, 75, 80
general, 87, 88
grain, 86
in bulk, 31
inflammable, 65, 66, 67, 68, 69, 70, 71
kinds, 84
munitions, 89
ore, 85
pilfering, 83
re-export, 31
returns of unlading, 47, 48
special, 88
stowage, 83
ventilation, 84
wet coal, 85
Carpenter, 73, 78
duties, 231–232, 233
stores, 77
Cask fenders, 74
Casting away vessels, 299
Ceiling, 79
Chafe, 74
Chief Mate, the, 72
coastwise, 162
duties, 73, 74, 75
duties at sea, 100, 101, 102
duties in port, 78
examination, 161
License, 149
qualifications, 72
reports for duty, 72
service, 159
Vessel in stream, 73
Charts, pilot, 181
Clearance, form of, 20
Clothing, exempt from attachment, 267
Coal, 35
Coaling, 97
gear, 77
Cork fenders, 74
Cost data, 89
Collision, 175
Coming alongside, 96
to anchor, 95
Complaints re provisions, 12
Construction, future, 105
Conventions, 269
Corporal punishment, 290
Crew, 76
failure to produce, 253
ill treatment of, 297
papers relating to, 254
quarters, inspection, 75
Crimes, 291–300

D

Dangerous conditions, 176
Davits, test of, 106, 107
Death from negligence, 169
negligence, misconduct, 294
Deck, 178
crew, 78
engineer, 73
room, 115
Delivery, ports of, 29, App. A
Desertion, abroad, 268
of foreign seamen in U. S., 268
Discharge, 245
Discharging, 75
Discharge in foreign ports, 258
in foreign trade, 257
Discipline at sea, 286–287
Distress, vessels in, 48, 49
Docking, notes on, 99, 100
Docking plan, 98
Dodgers, 77
Draft, 75
Drift lead, 74
Dry dock, entering, 98
blue prints, 98

E

Engagement, period of, 251
Engineer's license, 150

Digitized by Google

Entry and clearance, 18
of merchandise, 27, 38
Ports of, 28, App. A
post, 47
Examinations, Chief and second mate coastwise, 164
master, 156
original license, 153
Third mate coastwise, 165
Exemption, militia duty, 241
of private property at sea, 62
Export of arms, 61
merchandise laden for, 32
transfer of imported merchandise, 32

F

Fees, 21
Fellow-servant clause, 283
Fire-fighting equipment, 92
Fire lines, 75
Fire, protection against, 63, 64, 65
Flogging, 290
Forgery, 296
Freeboard, 83

G

Gangway, 74
General average, 51–52
General libel bond, 57, 58
Great Lakes, licenses, 166
crimes on, 300
Ground tackle, 94
Gun, drill with line carrying, 113
line carrying, 112
tests, 112

H

Harbor defenses, 61
regulations, 92
Harter Act, 55, 56, 57
Hatch battens, 76
covers, 76
Hawsers, 77
Heaving in, 95
lines, 74
Holds, 75
preparation to receive cargo, 78, 79, 80
Hose, on foc's'le, 73

I

Ice, 176
obstruction by, 49
Illegal boarding, 24
unlading, 39, 40
Inland licenses, 165
Rules of road, 185–222
waters—limits, 222–228
Inspection of inward manifests by boarding officers, 35, 36, 37, 38
Instructions for gun and rocket apparatus, 113
Insurance, war risk, 283, 284, 285
International Rules of Road, 184–220
Inventories, 76
Invoices, 84

J

Jacoby, navigation, 304
Junior officers, duties, 133
Jurisdiction over seamen, 277, 278, 279

K

Keys, 92
Keys, master, 92
Knight, 304

L

Larceny, 295
Laws effecting duties of master, 9
Lecky, 304
Log books, 15, 16, 17

Digitized by Google

Look out, 176
Liability of owners, masters, shippers, 53, 54, 55
Libel bond, general, 57, 58
Licenses, duration of, 147
  renewal of, 154
Liens for freight or general average, 51, 52
Lifeboats, care of, 108
  equipment, 103
  how carried, 105
  launching, 108
  manning, 108–109
  marking of, 107
  men, certificated, 108–109
  provisions, 104
Life buoys, ring, 111
  preservers, 111
  rafts, equipment, 110
    care of, 110
    manning, 109
    marking, 110
  saving equipment, 77, 94 105
Lighters, 73
Lights, running, 179
Live stock, 90
Lodgers, 270
Luminous buoys, 111

M

Mail, 129
Manifest, 18, 19, 20, 27, 28, 30, 31
Manning of merchant vessels, 280, 281, 282
Manslaughter, 292
Mast covers, 77
Master, the, 1
  acting as pilot, 151
  always in command, 4
  articles, 2
  authority over pilot, 4
  authority to protect lives and property, 8
Master, authority to suspend officers, 8
  cannot delegate responsibility, 4
  certificate of inspection, 7
  change of, 9
  charter, 4
  coaling, 2
  coastwise, 157
  correct lading, 3
  course of vessel, 7
  declaration of, 29, 30
  delivery of specie and cargo, 3
  departure, 7
  disaster, 8
  drills, 7
  duties, 2, 3, 4, 5, 6, 7, 8
  enters and clears, 3
  examination, 156
  general management of vessel, 2
  insurance, 3
  keeps official log, 2
  keeps wage account, 4
  last to leave ship, 8
  laws, must be familiar with, 3
    of port, 5
  liability, 53, 54, 55, 169
  license, 149
  licensed engineer officer on duty, 3
  licensed officer always in charge, 4
  live stock, 5
  maneuvering vessel, 3
  medicine chest, 3
  navigator, 5
  navigation laws, 8
  oath-manifest, 18
  oath of citizenship, 9
  official log book, 5
  passengers, 4, 7
  property of deceased persons, 7
  punishments to crew, 5
  qualifications, 2
  removal of, 152

Digitized by Google

Master, report to U. S. Local Inspectors, 7
represents owner, 4
report on accidents, 7
responsibilities, 1, 2, 4
rules of road, 5
safe carrying of mail, 4
navigation, 2
sail, 158
scale of provisions, 3
service required, 155
ship's log book, 7
ship must be well found, 2
skill, 8
slop chest, 3
smuggling, 5
Mate, acting as pilot, 151
Mayhem, 294
Medicines and anti-scarbutics, 14
Merchandise, fraudulent importation, 50
salvage of, 49, 55
vessels, manning, 280, 282, 282
Mines, 61, 62
Miscellaneous laws, 59
Mooring lines, 73, 74
Murder, 292
Muster-list roll and drill, 114–115
Mutiny, 297

N

Navigation, 304
Navigating gear, 77
officer, 129–130
Navy ration, 60, 61
Night orders, 176, 177, 178

O

Oath of officer, 151
Offenses, 287, 288, 289
Offenses against registry law, 9
miscellaneous, 296
Officer's citizenship, 146
license, 148, 149
serving during war, 148
Orders, night, 178
standing, 177
Owner's liability, 53, 54, 55
may ship seamen, 248

P

Pacific Islanders, sale of arms to, 62
Painting, bottom, 99
Paints, 77
Papers, deposit of, 21
Passengers, 90
Passenger accommodations, 116 117, 118, 119
Act of 1882, 116
vessel, boarding, 124
steamer, cattle on board, 123
carriage of, 126
cleanliness, 122
death of, 125
discipline, 122
embarkation in boats and rafts, 108
steamer, explosives on board, 123
inspection, 125
light and air, 119, 120
list, 124
medical attendance, 121, 122
act, penalties, 125–126
privacy, 122–123
provisions, 121
Passports, 22–23
Permit to unlade by night, 40, 41, 42
Pilot's license, 151
Piracy, 300, 301, 302, 303
Plundering vessel, 299
Pilot, must yield to master, 4
Ports of entry, 29, App. A

Digitized by Google

Post entry, 47
Provisions, scale of, 243
Provisions and water, 11
Private property, exemption at sea, 62
Procedure, 290
Projectiles, line carrying, 113
Propeller signs, 74
Protection against fire, 63, 64, 65
Punishments, 287, 288, 289

Q

Quartermasters, 78, 182
  duties, 229–230

R

Rafts, handling, 105
Rape, 293
Rat guards, 75, 97
Ration, navy, 60, 61
Reduction of allowance, 13
Responsibility, watch officers, 172
Riding lights, 74
Robbery, 295
Rockets, 112
Rose boxes, 79
Rules of road, 173, 184–221
Rule, unwritten, 174

S

Sails, 77
Sale of arms to Pacific Islanders, 62
Salvage at sea, 62, 63
Salvage of merchandise, 49, 50
School ships, 59, 60
Sea letters, 22, 23
Sea library, 304
Seamen, abandonment of, 297
  effects of deceased, 272–276
  naturalization of, 245
Seamen, rescuing shipwrecked American, 59
  return of, 271
  shipment in coasting trade, 255
  sick and disabled, 276, 277
  witness fees, 279
Search, 24, 25, 26
Sea stores, 34, 35
Second mate, 78, 128, 129, 160, 161, 163
Seduction, 293
Service, substituting, 155
Sheath knives, 289
Shipment, before consul, 252
Shipment without agreement, penalty, 251
Shipments, illegal, 247
Shipper's liability, 53, 54, 55
Shipping commissioner, 270
Shipping officers, 246
Ship's register, 9
  school, 59, 60
Shipwrecked American seamen rescuing, 59
Side ladders, 74
  screens, 77
Signal gear, 77
Skids, 74
Slop chest, 14
Smoke helmets, 87
Smothering lines, 79
Solicitation of bribes, 50, 51
Soliciting lodgers, 270
Sounding pipes, 76
Stairways, 115
State inspection laws, 20
Station bill, 75, 76
Steamer's name on equipment, 114
Steel strongbacks, 76
Stevedores, 82
Stolen property, 295
Stores, receiving, 92
Storm oil, 113

Digitized by Google

Supervising Inspector General, Recommendations, 180

T

Tank steamers, 90–91
Tarpaulins, 76, 77
Telegraph, 73
Third mate, 78, 131, 132, 161, 162, 164
Todd and Whall, 304
Torpedoes, 61
Treaties, 269
Trial, place of, 291
Turning to, 92, 93
Twin screws, 74

U

Undermanning, 283
Unloading by day, 42, 43
  by night, 40
  supervision of, 43, 44, 45
  time limit for, 46
Upkeep, 93
Unseaworthy vessels, 283
U. S. Local Inspectors, 7
  Supervising Inspectors, rules relating to life saving, 103

V

Ventilator covers, 77
Vessel alongside, 74
  casting away, 299
Vessels, different types, 76
  exempt from entry, 34
  in distress, 48, 49
Vessels, overtaken, 179
  plundering, 299
  unseaworthy, 283

W

Wages, 260–265
  exempt from attachment, 267
Walton, 304.
War documents, 22, 23
Warmth and clothing, 15
War risk insurance, 283, 284, 285
War zone, 179
  precautions, 105
Waterline, striking, 100
Water plugs, 75
Watch officer, 167
  duty, 167
    in port, 183
    not citizens, 147
Watch-relieving, 170
  rest before going on, 169
Watches, three, 168
Wedges, 76
Weights and measures, 13
  of persons, 107
Whistle signals, 81
White, 304
Windlass notes, 73
Wooden steamers, 86
  warehouse, 74
Working boat, 74
  cargo, 81
Work of Chief mate, 76
Wrecking, 298

Z

Zig-zag, 180

Digitized by Google

THE LITERATURE *of* NAVAL AND MARINE SCIENCE

On our shelves is the most complete stock of technical, industrial, engineering and scientific books in the United States. The technical literature of every branch of naval architecture, construction, ordnance, marine engineering, seamanship and navigation is well represented, as well as are the various other related subjects.

A large number of these we publish and for an ever increasing number we are the sole agents.

All Our Inquiries are Cheerfully and Carefully Answered and Complete Catalogs as well as Special Lists are Sent Free on Request :: ::

D. VAN NOSTRAND COMPANY

Publishers and Booksellers

25 PARK PLACE NEW YORK

Digitized by Google

VAN NOSTRAND'S NAUTICAL MANUALS

175 Pages | 5 x 7½ | Postpaid, $2.00

The Whys and Wherefores of Navigation

By

GERSHOM BRADFORD, 2d.

Navigating Officer and Senior Instructor
New York State Nautical Schoolship Newport
Late Nautical Expert
Hydrographic Office, U. S. N.

CONTENTS: Nautical Astronomy. Declination. Right Ascension. Precession of the Equinoxes. Time. Sidereal Time. Equation of Time. Calendar. Corrections for Observed Altitude. Index Correction. Semi-diameter. Refraction. Dip. Parallax. Circum or Ex-Meridian Altitude. Polaris. Observations for the Correction of the Compass. Longitude. Sumner Method. The New Navigation. The Moon. Charts.

An American book of intimate and interesting information on the subject of Navigation. If you want to know "why," own and study Bradford. It is a book for the man who likes to understand his subject thoroughly—simple, clear, complete.

Digitized by Google

VAN NOSTRAND'S MILITARY BOOKS

232 Pages 51 Plates—Many in Colors Pocket Size Price $1.00

MILITARY and NAVAL RECOGNITION BOOK

A handbook on the organization, insignia of rank, and customs of the service of the World's Important Armies and Navies.

BY

Lieut. J. W. BUNKLEY
U. S. Navy

A complete, correct and fully illustrated guide to the insignia of our army and navy as well as of those of the nations engaged in the war, compiled from official sources and useful alike to civilians as well as to the Army and Navy.

You will need this book to help you recognize our boys at home and to distinguish the other boys "over there."

D. VAN NOSTRAND COMPANY

HEADQUARTERS SINCE 1860
for
MILITARY AND NAVAL BOOKS

25 Park Place *NEW YORK*

Digitized by Google

VAN NOSTRAND'S NAVAL BOOKS

730 Pages 6¼ x 9¼ Postpaid $6.50
159 Full Page Plates 10 Color Plates

Modern Seamanship

By

Admiral Austin M. Knight, U.S.N.

SEVENTH EDITION
REVISED AND ENLARGED

CONTENTS—The Hull and Fittings of a Ship. Rope. Knotting and Splicing. Mechanical Appliances on Shipboard. Blocks and Tackles. Handling Heavy Weights. Compass. Log and Lead. Submarine Signals. Boats. Handling Boats in a Surf. Ground Tackle. Carrying Out Anchors. The Steering of Steamers. The Rules of the Road. Manoeuvering to Avoid Collision. Piloting. Handling a Steamer Alongside a Dock. Placing a Ship in a Dry Dock. Weather and the Laws of Storms. Handling Steamers in Heavy Weather. The Handling of Torpedo Vessels. Keeping Stations and Manoeuvring in Squadron. Towing. Rescuing the Crew of a Wreck. Man Overboard. Stranding. Hints for Junior Officers Doing Line Duty. Appendix.

The official text book at the U. S. Naval Academy and in use throughout the service. Describes the handling of all vessels, men-of-war, merchantmen, naval auxiliaries and small boats.

Digitized by Google

VAN NOSTRAND'S NAUTICAL MANUALS

150 Illustrations | 5 x 7½ | about 400 pp. | In Press

HANDBOOK
FOR THE CARE AND OPERATION OF
NAVAL MACHINERY

By Comm. H. C. DINGER, U. S. Navy

Third Edition, Revised and Enlarged
by Lieut. Comm. H. T. Dyer, U.S.N.

THIS new, revised and enlarged edition will be of use to all engineers and will help any one that has to do with nautical matters. The explanations and definitions are so plain that save in a few cases the layman can take up the book and by reading the section he is interested in can understand the point at once. Special care has been exercised to cover all points dealing with the usage on United States vessels. A glance at the book will show the infinite number of things that must be attended to by the engineer, who nowadays is the main factor in the ship's welfare.

D. VAN NOSTRAND COMPANY
Publishers and Booksellers
25 PARK PLACE NEW YORK

Digitized by Google

Digitized by Google

Digitized by Google

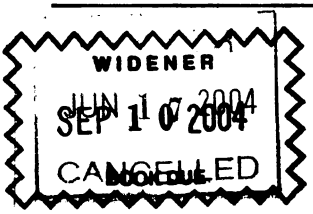
Digitized by Google

Digitized by Google

The borrower must return this item on or before the last date stamped below. If another user places a recall for this item, the borrower will be notified of the need for an earlier return.

Non-receipt of overdue notices does ***not*** *exempt the borrower from overdue fines.*

Harvard College Widener Library
Cambridge, MA 02138 617-495-2413



Please handle with care.
Thank you for helping to preserve library collections at Harvard.

Digitized by Google

Digitized by Google